

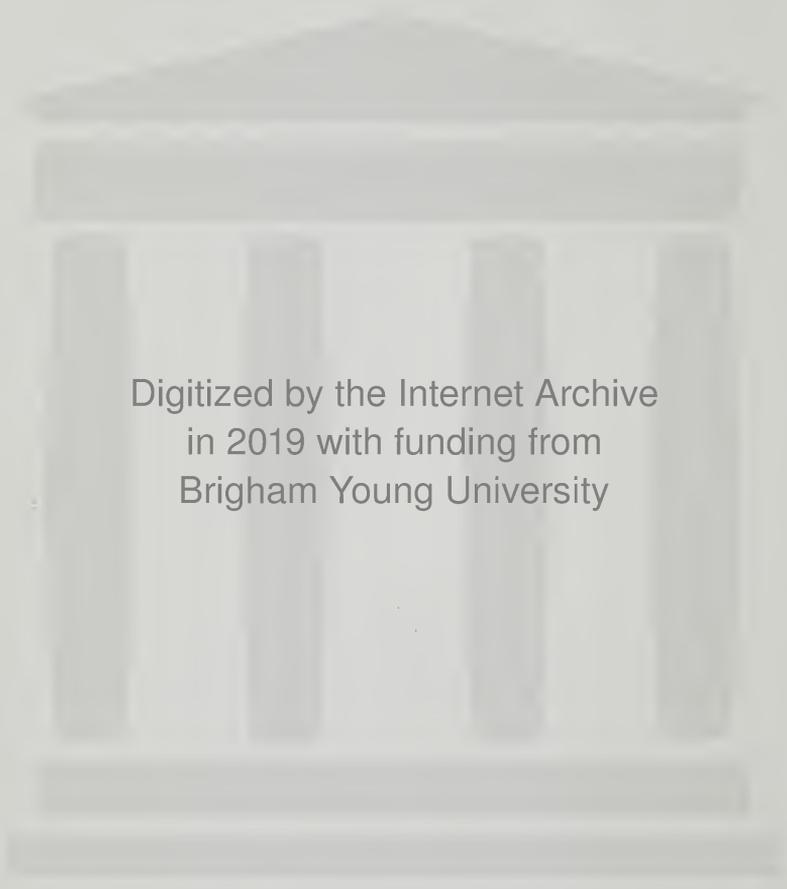
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REVISED ORDINANCES

OF

SALT LAKE CITY, UTAH,

INCLUDING

All Ordinances of a General Nature in Force December
11th, 1903, and all Franchises and
Special Grants.

REVISED, COMPILED AND ARRANGED BY
GEORGE L. NYE, CITY ATTORNEY.

PUBLISHED BY AUTHORITY OF THE CITY COUNCIL
OF SALT LAKE CITY, UTAH,
1903.

THE DESERET NEWS
SALT LAKE CITY



NOTE.

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GEORGE L. NYE,

City Attorney.

Salt Lake City, December 11th, 1903.

TABLE OF CONTENTS.

	Sec.
Chapter I. Revised ordinances of Salt Lake City.	
Repealing existing ordinances	1
Accrued rights	2
Meaning of words	3
Liability of employers and agents to penalty for violation of ordinances	4
Power to issue permits granted to certain officials by implication	5
Meaning of the word "Street"	6
Penalty for violating ordinances	7
When an ordinance shall go into effect	8
Chapter II. Animals.	
Abandoning sick or disabled animals	9
Chapter III. Appointive officers.	
Term	10
Removal	11
Chapter IV. Attorney.	
Duties	12
Records	13
Reports	14
Compensation	15
Oath. Bond	16
Assistants	17
Chapter V. Auctioneers.	
Receipts for goods. Commission....	18
Obstructing streets or sidewalks	19
Penalty	20

Chapter VI. Auditor.

Duties	21
Compensation	22
Oath. Bond	23
Deputy auditor and clerk	24
Annual financial statement	25
Transfer of books in his custody at the expiration of his term of office	26

Chapter VII. Board of public works.

Appointment. Term.	27
Compensation	28
Oath. Bond	29
Duties of board	30
Heads of city departments eligible for appointment to board	31
City recorder is clerk of board	32
Inspectors	33
Duties of board. Contracts	34
Specifications. Advertisements	35
Books	36
Regular and special meetings. Quorum. Votes ...	37
Temporary chairman	38
Contracts. Bonds. Abstracts of Bids. Estimates....	39
Contractors	40
Repairs of Paving, Curbing, Guttering and Aprons....	41
Sidewalks	42
Authority for expenditures	43
Bonds. Sureties	44
Who not accepted as sureties	45
Additional duties of board	46

Chapter VIII. Buildings and structures.

Inspector of buildings. Appointment. Compensation.	47
Oath. Bond	48
Duties	49
Examine and certify as to structures. Permits	50
Inspector to pass upon any question relating to build- ing not provided for in the ordinances	51

Special inspections. Fee	52
Inspector to abate danger from fire	53
Dangerous buildings	54
Dangerous walls and unsafe buildings	55
Damaged frame buildings Arbitrators. Moving ...	56
Roofs damaged by fire. Repairs.....	57
Permit required. Exception	58
Ordinary repairs	59
Buildings in fire limits. Nature	60
Plans must be submitted and approved	61
Alteration in plans	62
Fees	63
Inspector to have power to prohibit construction ...	64
Adobes and imperfectly burned brick prohibited	65
Adobes in walls. When permitted	66
Cellar excavations. Depth	67
Foundation walls. Cement	68
Retaining walls. Dimensions	69
Cut stone and ashlars	70
Party walls	71
Party walls above roof	72
Tables for walls of buildings	73
Walls for trussed roofs	74
When walls are to be increased	75
Height of stories	76
Buttresses	77
Recess, chase or flue	78
Kind of mortar to be used	79
Heading or binding course	80
Lintels and arches	81
Manner of building chimneys and flues	82
Chimneys in one story cottages	83
Factory chimney-spark arrester	84
Forge and furnace chimneys	85
Manner of setting stoves	86
Stovepipe through roof forbidden	87
Cellarway or area. Permit and bond required for construction	88

Egress from cellars and basements	89
Size of cellarways. Protection	90
Coverings of coal holes	91
Gratings in Sidewalks	92
Hot water, steam and ventilating pipes and ducts.....	93
Strength of floors	94
Roof and floor timbers	95
Headers, trimmers and tail beams	96
Timbers or joists not to be cut for piping or wires.....	97
Rough floor to be laid	98
Manner of securing cornices	99
Fire escapes	100
Egress from public buildings	101
Bay windows and store fronts	102
Signs on or over streets or sidewalks forbidden	103
Canvas awnings	104
Permanent porticos	105
Plans to be approved by the building inspector	106
Numbers for houses	107
Billboards	108
Remove waste	109
Exception.	110
Unlawful to injure advertisements	111
Height of fences limited. Exceptions	112
Notice. Removal	113
High fences declared a nuisance	114
Out-houses	115
Interference with inspector	116
Penalty	117
 Chapter IX. City cemetery. Sexton.	
Appointment. Compensation	118
Oath. Bond	119
Permits	120
Duties	121
Sale of lots. Certificate. Price	122
Headboards and tombstones. Fences and grades ..	123
Title. Permit. Disinterment. Contagious disease ...	124

Fees	125
Injury to cemetery property prohibited	126
Burials must be in cemeteries. Exception	127
Fast riding or driving in cemetery prohibited	128
Penalty	129
 Chapter X. City Council.	
Members. Oath. Bond	130
Compensation	131
Meetings	132
Special meetings	133
 Chapter XI. City Creek Canyon.	
Unlawful to catch fish or shoot birds	134
Destruction of trees	135
Camping and befouling of water	136
Penalty	137
 Chapter XII. Claims.	
Requisites. Presentation. Time for allowance	138
Other claims	139
 Chapter XIII. Dogs.	
Registration. Annual tax	140
Collars and numbers	141
Impounding	142
Redemption. Fees	143
Destruction	144
Cruelty prohibited	145
Female in heat, prohibited running at large	146
Prohibited in places of worship	147
Dangerous	148
Killing registered dogs prohibited	149
Penalty	150
 Chapter XIV. Engineer.	
Appointment. Compensation	151
Oath. Bond	152

Egress from cellars and basements	89
Size of cellarways. Protection	90
Coverings of coal holes	91
Gratings in Sidewalks	92
Hot water, steam and ventilating pipes and ducts.	93
Strength of floors	94
Roof and floor timbers	95
Headers, trimmers and tail beams	96
Timbers or joists not to be cut for piping or wires.	97
Rough floor to be laid	98
Manner of securing cornices	99
Fire escapes	100
Egress from public buildings	101
Bay windows and store fronts	102
Signs on or over streets or sidewalks forbidden	103
Canvas awnings	104
Permanent porticos	105
Plans to be approved by the building inspector	106
Numbers for houses	107
Billboards	108
Remove waste	109
Exception.	110
Unlawful to injure advertisements	111
Height of fences limited. Exceptions	112
Notice. Removal	113
High fences declared a nuisance	114
Out-houses	115
Interference with inspector	116
Penalty	117
 Chapter IX. City cemetery. Sexton.	
Appointment. Compensation	118
Oath. Bond	119
Permits	120
Duties	121
Sale of lots. Certificate. Price	122
Headboards and tombstones. Fences and grades	123
Title. Permit. Disinterment. Contagious disease	124

Fees125
 Injury to cemetery property prohibited126
 Burials must be in cemeteries. Exception127
 Fast riding or driving in cemetery prohibited128
 Penalty129

Chapter X. City Council.

Members. Oath. Bond130
 Compensation131
 Meetings132
 Special meetings133

Chapter XI. City Creek Canyon.

Unlawful to catch fish or shoot birds134
 Destruction of trees135
 Camping and befouling of water136
 Penalty137

Chapter XII. Claims.

Requisites. Presentation. Time for allowance138
 Other claims139

Chapter XIII. Dogs.

Registration. Annual tax140
 Collars and numbers141
 Impounding142
 Redemption. Fees143
 Destruction144
 Cruelty prohibited145
 Female in heat, prohibited running at large146
 Prohibited in places of worship147
 Dangerous148
 Killing registered dogs prohibited149
 Penalty150

Chapter XIV. Engineer.

Appointment. Compensation151
 Oath. Bond152

Duty of city engineer	153
Field notes, maps and profiles	154
Street lines	155
Street grades. Establishing	156
Fees	157
Same	158
Test of additions	159
Filing plats	160
Same	161
Same. Street names	162
Re-surveys of additions	163
Approval of maps and plats	164
Standard of measure	165
Instruments. How adjusted	166
Instruments to be adjusted	167
Custodian of monuments	168
Protection of Monuments	169
Interfering with engineer prohibited	170
Penalty	171

Chapter XV. Estray pound.

Poundkeeper. Appointment. Compensation	172
Oath. Bond	173
Pound	174
Books	175
Register	176
Bills of damage	177
Advertisement	178
Sale	179
Proceeds of sale	180
Advertising bills	181
Forage	182
Animals at large	183
Damages and appraisalment	184
Rights of private persons	185
Detention of animals	186
Interference with poundkeeper	187
Malicious impounding	188

Fees189
 Monthly statement190
 Pay over money191
 Penalty192

Chapter XVI. Explosives and combustibles.

Erection of magazines193
 Location of magazines194
 Removal195
 Permit to sell explosives196
 Gunpowder in stores197
 High explosives not to be kept in stores198
 Giant or Hercules powder caps. Manner of keeping...199
 Storage of petroleum200
 Petroleum. How kept. Quantity201
 Buildings for storage of oils202
 Adulterating oils203
 Manufacture of explosive chemicals204
 Storage of explosive substances205
 Place of storage for explosives206
 Kindling fires with combustible fluids prohibited207
 Prohibiting the carrying of fire except in covered ves-
 sels208
 Prohibiting the discharge of fireworks without per-
 mission209
 Chimneys to be cleaned210
 Unlawful to store combustibles211
 No haystack within sixty feet212
 Movable light near hay prohibited213
 Prohibiting the smoking of meat, or the boiling of
 pitch, tar, rosin, turpentine or varnish within the
 fire limits, except in fireproof buildings214
 Burning of hay, straw, leaves and rubbish prohibited..215
 Applications for licenses and permits216
 Penalty217

Chapter XVII. Fees.

Officers218

Paid into treasury. Statement219
 Offense220
 Penalty 221

Chapter XVIII. Fire department.

Fire department. Organization222
 Chief. Appointment223
 Oath. Bond224
 Qualifications of members225
 Duties and powers of the chief226
 When property may be torn down227
 Blockade228
 Right of way229
 Injuring property of fire department prohibited230
 Firemen detailed at places of amusement231
 Electric fire alarm boxes232
 Record to be kept.233
 Chief to appoint subordinates234
 Removal of chief without cause235
 Suspension of subordinates236
 Fire limits237
 Salaries238
 Penalty239

Chapter XIX. Food and drink.

Inspector of provisions. Appointment. Compensation.240
 Oath. Bond241
 Duties242
 Powers243
 Sale of unwholesome food prohibited244
 Unwholesome food or drink245
 Sale of calf, pig or lamb under certain age prohibited ..246
 Sale of diseased cattle as food prohibited247
 Feeding swine on unwholesome food prohibited248
 Putrid meat, fish, bird or fowl as food249
 Stalls and markets to be kept clean250
 Unwholesome meat to be confiscated251
 Milk, butter and cheese252

Manner in which cattle shall be kept	253
Manner of transporting cattle	254
Slaughtering cattle	255
Milk. Inspection of	256
Condemnation	257
Quality of milk	258
Manner of marking milk wagons	259
Water for drinking purposes	260
Ice. Application to sell	261
Standard for domestic ice	262
Permits	263
Sale	264
Inspection	265
Impure ice for cooling purposes	266
Penalty	267

Chapter XX. Franchises and special privileges.

Non-assignable. Application. Copies. Fee.....	268
Exception	269
Manner of assignment	270
Forfeiture	271

Chapter XXI. Garbage.

Board of health	272
Two garbage districts	273
Boundaries District No. 1.....	274
Boundaries District No. 2.....	275
Receptacle for garbage	276
Mixture of rubbish with garbage prohibited	277
Befouling gutters and ditches prohibited	278
Accumulation of manure prohibited	279
Deposit or burial of nightsoil in garbage district pro- hibited	280
Garbage, manure, etc., to be moved	281
Permits for emptying vaults, cesspools, sinks and privies	282
Permits for hauling garbage	283
Manner of marking scavenger wagons	284

Spilling garbage or refuse prohibited	285
Fees for removing garbage, etc	286
Penalty	287

Chapter XXII. Health.

Board of health. Appointment. Compensation	288
Health commissioner. Oath. Bond	289
City chemist. Appointment. Compensation. Duties.	290
Clerk. Appointment. Compensation	291
Duties and powers of the board	292
Sewer connections	293
Duty of health commissioner	294
Meetings of the board	295
Duty of clerk	296
Births. Registration	297
Burials. Removal of bodies of deceased persons. Per- mit. Application	298
School books. Distribution and disinfection	299
Rules and regulations in relation to the quarantine of and disinfection after certain contagious or infec- tious diseases	300
Disinfection	301
Penalty	302

Chapter XXIII. Humane officer.

Appointment. Compensation	303
Powers. Duties	304
Oath. Bond	305
Deputy	306

Chapter XXIV. Intoxicating liquors.

Liquors. Selling of. License required	307
Terms defined	308
Unlawful to sell liquor without procuring a license and giving bond. One bar only to be operated under each license. Use of cellar for storage pur- poses permitted	309
Form of application and bond for liquor license	310

License to be issued only to the proprietor of the place licensed. Licenses non-transferable	311
Applications for retail liquor licenses to be referred to the chief of police for his recommendation	312
Sale of liquor by the drink by a restaurant, hotel or boarding house keeper prohibited	313
Sale of intoxicating liquors by the drink, or in quantity exceeding five gallons without a wholesaler's license, prohibited	314
Licenses. Manner of issuing and form	315
Licenses to be issued for three months	316
Amounts to be paid for licenses	317
Retail license includes wholesale	318
Manufacturer's license required for bottling or casking liquors not manufactured in Salt Lake county....	319
Sale of liquors to minors, Indians, insane or drunkards prohibited	320
Minors, Indians, insane or idiotic persons in saloons or billiard halls prohibited	321
Unlawful for minors to misrepresent age	322
Females prohibited from being in saloons or wine rooms between the hours of seven p. m. and seven a. m.	323
Dancing, drunkenness and disorderly conduct in saloons, prohibited	324
Sale or disposal of liquor on Sunday prohibited	325
Physicians prohibited from issuing prescriptions in blank or in quantity with intent to violate this chapter	326
Interior of saloons to be open to inspection from the exterior on Sunday	327
License to be revoked for violation of the provisions of this chapter ...	328
License not to be re-issued to any person convicted of any violation of this chapter	329
Not more than three licenses to be issued to any person to sell intoxicating liquors	330
Unlawful to sell liquor on any election day	331

Mayor to issue proclamation closing saloons on certain days at his discretion	332
Licensees accepting licenses accept the provisions of this chapter	333
Penalty	334
Chapter XXV. Irrigation.	
Watermaster. Appointment	335
Salary	336
Oath. Bond.	337
Period of irrigation	338
Apportionment of water	339
Watermaster to locate ditches, etc	340
Head-gates and branch ditches	341
Guard against damage	342
Right of way along ditches	343
Surplus water	344
Wrongful diversion of water prohibited	345
Appeal from apportionment	346
Quarterly report	347
Public water ditches defined	348
Where public ditches may be crossed	349
Bridges and flumes to be constructed across ditches or canals	350
Penalty	351
Chapter XXVI. Land and water commissioner.	
Land and water commissioner. Appointment	352
Oath. Bond. Compensation	353
Duties	354
Deputies	355
Chapter XXVII. Licenses.	
Unlawful to transact business without a license	356
License to be paid in advance	357
Applications. How license issued. Record.	358
What license shall contain. Assignment	359
No rebate allowed. Exceptions	360

Evidence of liability to pay licenses	361
Quarterly and half-yearly licenses	362
Free licenses. When may be given	363
Auctioneers. License. Bond.	364
Billiard, or pool-tables. Ten pin alleys	365
Application. Amount	366
Boarding houses. Sworn statement. License	367
Circus. Menagerie	368
Contracting electrician	369
Dog and pony shows, etc.	370
Drain layers	371
Fortune telling, etc.	372
Fresh meat dealers	373
Hotels. Statement	374
Hotel runner. License.	375
Intelligence and employment offices	376
Application	377
Livery stables	378
Lunch wagons	379
Merchants, bankers, etc.	380
Milk dealers	381
Pawnbrokers	382
Amount of license. Bond	383
How assigned	384
Peddlers and Hawkers	385
Amount	386
Licenses exhibited and wagons marked	387
Plumbers	388
Amount. Bond	389
Public scales	390
Restaurant keeper defined. Amount. Liquors prohib- ited	391
Scavengers	392
Slot machines	393
Stock brokers	394
Sunday sacred musical concerts. Amount	395
Telephones	396
Amount	397

Statements	398
Theaters, concert halls or other places of amusement ..	399
Vehicles	400
License framed	401
Miscellaneous licenses	402
Penalty	403
 Chapter XXVIII. Mayor.	
Compensation	404
Oath. Bond.	405
Duties	406
Licenses, deeds, etc.	407
May offer reward	408
Pardoning power	409
Supervisory powers	410
 Chapter XXIX. Misdemeanors. (Public peace and morals).	
Abusive language	411
Animals. Cruelty to	412
Animals. Killing or poisoning	413
Driving sheep through the streets prohibited	414
Keeping cows and swine	415
Assault and battery	416
Barbed wire fences prohibited	417
Bathing	418
Bonfires on asphalt pavements prohibited	419
Coasting on streets prohibited	420
Dance on streets prohibited	421
Dangerous and concealed weapons	422
Defacing or destroying property prohibited	423
Discharge of guns prohibited	424
Discharging air guns, sparrow guns or flippers pro- hibited	425
Disorderly houses prohibited	426
Disturbance of the peace prohibited	427
Disturbance at election or meeting prohibited	428
Disturbance at religious meeting prohibited	429
Drugs. Sale on streets prohibited	430

Drugs to be labeled. Poisonous drugs to be labeled "poison"	431
Drunkenness prohibited	432
Enticing minors from guardians prohibited	433
Minors on the streets and in public places at unreason- able hours prohibited	434
Sale of tobacco to minors prohibited	435
Employment agency	436
Escape of prisoners	437
Expectoration in public places prohibited	438
Taking of weapons, tools, intoxicating drinks or other articles to prisoners prohibited	439
Obtaining goods under false pretenses	440
Fighting prohibited	441
Fowls. Prohibiting trespassing by	442
Gambling houses prohibited	443
Gambling prohibited	444
Witness not privileged from answering	445
Hotel registers must be kept	446
Same. Badge	447
Interfering with officer in discharge of duty prohibited.	448
Obscene literature or conduct	449
Opium dens	450
Labor. Number of hours of	451
Use of billiard and pool tables and bowling alleys on Sunday prohibited	452
Street cars. Crossings	453
Same	454
Personating an officer	455
Petit larceny	456
Posting bills without permission	457
Profanity	458
Prostitutes	459
Prostitution	460
Public library	461
Reckless riding or driving	462
Speed of vehicles	463
Street cars	464

Smoke emitted from chimneys	465
Riot	466
Sunday. Keeping open certain places prohibited	467
Swindling	468
Trespass	469
Vagrancy	470
Penalty	471
 Chapter XXX. Municipal wards.	
Division and number of wards	472
 Chapter XXXI. Nuisances.	
Slaughter house, market, meat shop	473
Unclean drain or garbage receptacle	474
Refuse. Accumulation	475
Accumulation of manure in stable prohibited	476
Dirt, waste, rags, casks	477
Bone crushing, glue making, etc.	478
Soap, candle, oil, glue factory	479
Offensive liquid or refuse	480
Brewery, tannery, barn	481
Dead animals	482
Unsound food or offensive matter	483
Putrid fat, waste paper, old clothes	484
Acts and omissions deemed a nuisance	485
Health commissioner to abate	486
"Author of nuisance" defined	487
Notice to abate nuisance	488
Duty and power of the health commissioner	489
Penalty	490
 Chapter XXXII. Official bonds and oaths.	
Bonds	491
Sureties	492
Approval	493
Form	494
New bond	495
Oaths	496

Chapter XXXIII. Parks.

Parkkeeper. Appointment497
 Oath. Bond. Compensation498
 Duties499
 Assistants500

Chapter XXXIV. Pawnbrokers.

Defined501
 Ordinances posted502
 Right to redeem forfeited articles503
 Pawnbroker shall keep descriptive book504
 Report to chief of police505
 Dealing with drunkards, thieves, insane or minors506
 Employees507
 Hours508
 Liability of principal509
 Penalty510

Chapter XXXV. Plumbing.

Inspector of Plumbing. Appointment. Compensation.511
 Oath. Bond512
 Duties513
 Powers514
 Fees515
 Permits. Revocation516
 Plumbing rules517
 Drainage rules518
 Exhaust from steam engines, etc.519
 Final inspection and approval520
 Penalty521

Chapter XXXVI. Police department.

How constituted522
 Chief523
 Oath. Bond524
 Subordinates525
 Assignment to duty526
 Transfers and promotions527

Suspension	528
Rules	529
Special police	530
Ranking officer	531
Mounted police	532
Salaries	533
Saving clause	534

Chapter XXXVII. Poll tax.

Amount. Who liable to pay	535
How used	536
List of taxpayers	537
Notice to work	538
Delinquent tax payable in money	539
Money to be paid to treasurer	540
Annual report to council	541

Chapter XXXVIII. Prisoners and city prison.

Commitment until fine paid	542
Jailer to adopt rules. Record	543
Reduction of sentence for good behavior ...	544
Further duties of jailer	545
Prisoners to labor	546

Chapter XXXIX. Railroads.

To repair sewers, street crossings, etc	547
Arches and bridges. Tracks on grade....	548
Obstructions	549
Crossing other tracks	550
Speed	551
Bells	552
Crossings	553
Rights reserved to the city	554
Regulating running of street cars	555
Fenders on street cars	556
Wilfully getting upon fenders	557
Penalty	558

Chapter XL. Real estate.

Record. Purchase	559
Abstract of title	560
Record. Sale	561
Land and water commissioner	562
City recorder	563
List	564
Auditor	565

Chapter XLI. Recorder.

Compensation	566
Oath. Bond	567
Deputies and assistants	568
Duties. Powers, records and seal	569
Pay over money. Records	570

Chapter XLII. Reports.

Made to mayor annually	573
------------------------------	-----

Chapter XLIII. Requisitions and vouchers.

Made to mayor annually	571
Requisitions	572
Form	573
Distribution sheets. Payrolls. Vouchers	574
Charges between departments	575
Special appropriation	576
Auditor	577

Chapter XLIV. Seal.

Description of seal	578
---------------------------	-----

Chapter XLV. Sealer of weights and measures and oil inspector.

Appointment. Compensation	579
Oath. Bond	580
Duties	581
Weights and measures to be sealed and marked	582
Weighing or measuring instruments to be reported ...	583

Peddlers and hawkers	584
Regulation of weights and measures. Standard.....	585
Same	586
Second hand dealers	587
Fees	588
Unlawful to refuse to pay fee	589
standard prohibited	590
Dealers in oils	591
Inspector of oils. Duties	592
Fees as oil inspector	593
Inspector not to trade in illuminating oils	594
standard	595
Penalty	596

Chapter XLVI. Second hand and junk dealers.

Second hand dealer defined	597
Junk dealer defined	598
Dealing with minors prohibited	599
Record	600
Penalty	601

Chapter XLVII. Sewers.

Districts	602
Superintendent	603
Injuring sewer prohibited	604
Obstruction	605
Man-hole covers	606
Privy vaults and cesspools to be filled and property connected with sewer system in sewer districts... ..	607
Sewer connections	608
Permit	609
Application for permit. Plans. Fees	610
Revocation of permit	611
Discharge of surface water prohibited	612
Other pipes	613
Drain pipes. Description	614
Pipes. How covered.	615
Assessments must be paid.....	616

Connections before completion of sewer	617
1000 foot drains	618
Notice	619
Junction pipes	620
Inside of drain	621
When permits not issued	622
Penalty	623

Chapter XLVIII. Sidewalks.

Districts	624
Sidewalks constructed by individuals	625
Same. Permit. Specifications	626
Same. Supervision	627
Same. Inspection. Cost	628
Repairs. Unit of measurement	629
Ordinary repairs defined	630
Extraordinary repairs defined	631
New work defined	632
Repairs. Engineer's report. Levy	633
Annual contract	634
Ordinary repairs	635
Extraordinary repairs. Notice	636
Same. Expense	637
Same. Levy and sale	638
New work. Levy	639
Coal holes or other openings	640
Cellar doors	641
Obstruction of sidewalks	642
Receiving goods	643
Driving or riding on sidewalk	644
Games on sidewalks or streets	645
Carriage steps or platforms	646
Weeds	647
Loafing	648
Snow to be removed from sidewalks	649
Weeds	650
Sidewalks to be swept in front of business houses ..	651
Penalty	652

Chapter XLIX. Slaughter houses.

Location	653
Records	654
To be kept clean	655
Duty of health commissioner	656
Penalty	657

Chapter L. Special taxes.

Council	658
Notice of intention	659
Protests. Hearing	660
Ordinance levying tax	661
Ordinance levying certified to treasurer	662
Board of equalization	663
Assessment list and plat	664
Return to recorder	665
Notice of equalization	666
Report of board	667
Ordinance confirming	668
Ordinance confirming certified to treasurer	669
Notice of special tax for publication	670
Notice of special tax for mailing	671
Delinquent list and notice of sale	672
Costs	673
Expense of sale	674
Minimum sale price	675
Sale	676
Sale to city	677
Tax sale record	678
Certificate of sale	679
Fees	680
Certificate of sale to city	681
General taxes on delinquent property	682
Redemption	683
Certificate of redemption	684
Notice of redemption	685
Tax deed	686
Tax deed record	687

Recorder's fees	688
Redemption after deed	689
Refunding excess special taxes. City engineer	690
Same. City treasurer	691
Same. City auditor	692
Same. City council	693

Chapter LI. Streets.

Defects to be repaired	694
Restoration after excavation	695
Written notice to street supervisor of excavations.....	696
Street excavations	697
Permits. Applications. Bonds	698
Failure to replace street	699
lights	700
Permit to occupy street with building material	701
Fence and walk around street used for building ma- terial	702
Piling or mixing mortar, etc., on pavements	703
Depositing matter in streets prohibited	704
Distribution of advertisements on streets prohibited.....	705
Obstructions	706
Hitching posts. Iron rings in paved districts	707
Teams and horses to be hitched	708
Names of streets	709
System of numbering. Initial point	710
Numbering in plats "D," "G" and "I"	711
Commercial and other streets	712
Numbering other streets	713
Numbering system must be followed	714
Paving districts	715
Width of roadways and sidewalks established	716
Exception. Part of State Street	717
Exception. Part of East Temple Street	718
Freight wagons, bicycles and tricycles on a certain part of Main Street	719
Riding bicycles upon sidewalks in certain districts prohibited	720
Speed	721

Bicycle paths	722
Same. Construction	723
Same. Repairs	724
Same. Obstructions	725
License	726
Bicycle path fund	727
Bicycles to be provided with gongs	728
Penalty	729
 Chapter LII. Superintendent of waterworks.	
Appointment. Compensation	730
Oath. Bond	731
Employees. Appointment. Compensation	732
 Chapter LIII. Supervisor of streets.	
Appointment. Compensation	733
Oath. Bond	734
Consolidation with other office	735
Assistants. Appointment. Compensation	736
Duties, Reports	737
 Chapter LIV. Telegraph, telephone and electric wires and poles.	
Bond to the city	738
Permits	739
To whom issued	740
Applications	741
When permits not granted	742
Poles in street intersections prohibited	743
Size of poles. Manner of erection	744
Finish of poles	745
Height of wires	746
Number of wires limited	747
Fire alarm or police telegraph	748
Poles not to be removed or injured	749
Penalty	750
 Chapter LV. Treasurer.	
Compensation	751

Oath. Bond.	752
Assistants. Appointment. Compensation	753
Deputy. Oath. Bond	754
Custodian of city funds	755
Delivery of property to successor	756
Collector of special taxes	757

Chapter LVI. Vacancies.

How filled	758
----------------------	-----

Chapter LVII. Vehicles.

Numbers	759
Hack driving without license prohibited. Exception	760
Soliciting for carrying passengers prohibited	761
City recorder to keep record of licenses	762
Licensed public vehicles to stand fifty feet apart	763
Furniture vans excluded from certain streets	764
Driver to remain within six feet	765
Fraud prohibited	766
Shall not enter depots	767
Unlawful to drive into vehicle or person	768
Disorderly conduct prohibited	769
Speed regulated	770
Lighted lamps at night. Door handle	771
Rates of fare	772
Rates to be posted in vehicles	773
Overcharging prohibited	774
May demand fare in advance	775
Refusing to convey passenger prohibited	776
Shall give number and name	777
Refusing to pay fare	778
Automobiles. Speed	779
Same. Number. Registration	780
Same. Running idle	781
Same. Exception	782
Penalty	783

Chapter LVIII. Waterworks.

Duty of superintendent	784
----------------------------------	-----

Fire hydrants	785
Wrenches	786
Written application for water	787
Stop-cock and key box	788
Quality of service pipe. Permit and fee	789
Taker only to use water	790
Two users on one service pipe	791
Pipes to be kept in good repair	792
Plumbing permit. Report	793
Fixtures used in water connections	794
Waste prohibited	795
Use without payment prohibited	796
Turning on after being turned off prohibited	797
Fountains	798
Sprinklers for lawns	799
Sprinkling districts	800
Time for sprinkling	801
Mayor's proclamation	802
Sprinkling wagons	803
Steam boilers	804
Superintendent to have free access	805
City not liable for damages	806
Taking water from ditch forbidden	807
Annual assessments	808
Assessment rolls	809
Notice to water takers. Delinquency	810
Board of equalization	811
Water rates. Paid in advance	812
Water meters to be placed in breweries, artificial ice plants, hotels, etc.	813
Water not to be supplied to motors	814
Sworn statement	815
No alteration in rates	816
Construction of wells	817
Well within twenty feet of cesspool or privy prohib- ited	818
Use of water for drinking from wells regulated	819
Analysis of city water	820

Befouling water	821
Same	822
Same. Land and water commissioner's duties	823
Unlawful to interfere with city officers	824
Water scrip	825
Form of water scrip. Twenty per cent	826
Same. Eighty per cent	827
Scrip received for water rates. Limitation	828
Scrip issued since April 24, 1902.	829
Penalty	830

An ordinance revising and compiling the ordinances of Salt Lake City.

Be it ordained by the City Council of Salt Lake City, Utah:

SECTION I. That all ordinances of a general nature now in force in Salt Lake City, as revised, compiled and hereinafter set forth in LVIII chapters, and numbered in sections consecutively from 1 to 830, be, and they are hereby adopted, passed, published and declared to be the Revised Ordinances of Salt Lake City.

REVISED ORDINANCES

OF SALT LAKE CITY.

CHAPTER I.

Section 1. Repealing existing ordinances. The ordinances contained in this chapter and the chapters following shall be known as the "Revised Ordinances of Salt Lake City," and so far as their provisions are the same in effect as those of previously existing ordinances, they shall be construed as continuations thereof; but, subject to the above limitation and the provisions of the next section, all ordinances and resolutions of the city heretofore in force, except such as are of a private, local or temporary nature, including franchise grants, dedications and special levies for local assessments, are hereby repealed.

2. Accrued rights. Neither these revised ordinances nor the above repealing section shall affect any act done, any right accrued, any penalty incurred, any suit, prosecution or proceeding pending, or the tenure of office of any person holding office, at the time when they take effect; nor shall the repeal of any ordinance thereby have the effect of reviving any ordinance theretofore repealed or superseded.

3. Meaning of words. Words used in the revised ordinances in the present tense include the future as well as the present; words used in the masculine gender include the feminine and neuter; the singular number includes the plural, and the plural the singular; the word person includes firm and corporation as well as a natural person.

4. Liability of employers and agents to penalty for

violation of ordinances. When the provisions of an ordinance prohibit the commission or omission of an act, not only the persons actually doing the prohibited thing, or omitting the directed act, but also the employer and all other persons concerned, or aiding or abetting therein, shall be guilty of the offense described, and liable to the penalty prescribed for the offense.

5. Power to issue permits granted to certain officials by implication. When the provisions of any ordinance prohibit the commission of any act without the permit of a certain official or officials, such official or officials shall have the power to grant a permit for the performance of such act.

6. Meaning of the word "street." The word "street" or "streets" when used in an ordinance, shall be construed as including alleys, lanes, courts, public squares, public places and sidewalks, unless such construction would be inconsistent with the manifest intent of the ordinance.

7. Penalty for violating ordinances. Any person violating any provision or provisions of any ordinance included in these Revised Ordinances, or ordinances hereafter enacted, shall be deemed guilty of a misdemeanor, and unless other provision is made, shall, upon conviction, be punished by a fine of not more than one hundred and fifty dollars.

8. When an ordinance shall go into effect. Amendments. All ordinances, enacted after the adoption of these "Revised Ordinances" shall be deposited in the office of the city recorder and shall not go into effect until twenty days after the date of their publication, unless otherwise expressly provided therein. These "Revised Ordinances" shall not be amended by interlineation, but, in the future, amendments shall be made by re-enacting the section or subdivision as amended.

CHAPTER II.

ANIMALS.

9. **Abandoning sick or disabled animals.** It shall be unlawful for any person to abandon or turn out at large any sick, diseased or disabled animal, but such animal shall, when rendered worthless by reason of sickness or other disability, be by the owner thereof killed and disposed of as provided by these ordinances for the disposition of dead animals within the city limits. It shall be the duty of police officers to kill and dispose of any animals found running at large within the city limits, or which may be impounded in the estray pounds of this city, which are worthless from sickness, disease or other disability. Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine in any sum not less than five nor more than fifty dollars.

CHAPTER III.

APPOINTIVE OFFICERS.

10. **Term.** All appointive officers shall hold office until the Monday next succeeding the expiration of the term of and qualified; provided that this section shall not apply to members of the police and fire departments.

11. **Removal.** Any appointive officer, deputy or assistant, may, at any time be removed by the action of the appointing power, with the concurrence of a majority of all the city council, or by a majority of all the city council with the concurrence of the appointing power, *provided*, that all employees holding positions by virtue of appointment only, without approval by the city council, may be removed or discharged at the pleasure of the appointing power; *and provided further*, that this section shall not apply to members of the police and fire departments.

CHAPTER IV.

ATTORNEY.

12. **Duties.** It shall be the duty of the city attorney to prosecute and defend in all courts, all actions on behalf of the city, and defend in all actions against any officer or agent of the city on account of official acts; to take appeals or sue out writs of error on behalf of the city or any officer as aforesaid, with the consent and approval of the mayor, and make the necessary affidavits and verifications in such matters; to advise the city council or its committees, or any city officer, on such legal questions as may arise in relation to the business of the city, and attend the meetings of the city council; having personal knowledge of any violation of a city ordinance, or upon receiving reliable information of any such violation, he shall immediately institute the necessary steps to bring the offender to punishment.

13. **Records.** He shall keep a record showing all claims placed in his hands for collection, all moneys received by him on account of the city, and all payments made by him to the city treasurer, and also keep a docket, in which he shall keep a record of suits pending, and judgments in favor of or against said city.

14. **Reports.** He shall, on or before the fifth day of each and every month, or oftener if required, settle with the auditor of public accounts, and pay to the city treasurer all moneys in his hands belonging to the city. He shall report quarterly, or oftener, if required, to the city council the condition of the business of the city in his hands or control.

15. **Compensation.** The compensation of the city attorney is hereby fixed at twenty-five hundred dollars per annum, payable monthly, as are the salaries of other city officers.

16. **Oath. Bond.** The city attorney shall, before assuming the duties of his office, take and subscribe the constitutional oath of office, and shall furnish a bond to the city in the sum of five thousand dollars.

17. **Assistants.** The city attorney shall have the power to appoint, during the term for which he is elected, subject to confirmation by the city council, competent persons to the positions of assistant city attorney and second assistant city attorney, who shall hold office until the Monday next succeeding the expiration of the term of office of the appointing power, and until their successors are appointed and qualified. The assistant city attorney shall receive as compensation a salary of two thousand dollars per annum, and the second assistant city attorney a salary of twelve hundred dollars per annum, in full for all services rendered the city; said salaries to be paid monthly as are the salaries of other city officials. In the absence, or during the disability of the city attorney, the assistant city attorney shall exercise all functions and powers of the city attorney. The city attorney shall also have the power to employ a suitable person as stenographer at a salary of seven hundred and twenty dollars per annum, payable monthly as are the salaries of other city employees.

CHAPTER V.

AUCTIONEERS.

18. **Receipts for goods. Commission.** It shall be the duty of all licensed auctioneers to receive all articles which may be offered them for sale at auction, and give receipts therefor; and at the close of any sale, which must be made as the owner directs, the auctioneer shall deliver a fair account of such sale, and pay the amount received for such articles to the person entitled thereto, deducting therefrom a commission not to exceed ten per cent on the amount of such sale.

19. **Obstructing streets or sidewalks.** It shall be unlawful for any auctioneer to sell, or expose for sale, any kind of property on or so near to any street as to cause people to gather in crowds on the sidewalks, or to obstruct a free passage thereon, or to use immoral or indecent language in crying his goods, or to make noisy acclamations or ring bells through the streets in advertising the sale of goods or chattels; *provided, however,* that this section shall not apply to any sheriff, constable or other officer, whose duty shall require him to sell property at public auction.

20. **Penalty.** Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than one hundred dollars, or by imprisonment in the city jail not more than one hundred days, or by both such fine and imprisonment.

CHAPTER VI.

AUDITOR.

21. **Duties.** (R. S. 1898, Sec. 230). The city auditor, * * * shall draw and countersign all orders upon the treasurer in pursuance of any order or resolution of the city council, and keep a full and accurate account thereof in books provided for that purpose; shall make to the city council, upon the order of the council, reports of the financial condition of the city; shall make and keep a list of outstanding bonds, to whom issued, for what purpose, when and where payable, and the rate of interest they respectively bear, and recommend such action to the city council as shall secure the payment of the principal and interest of such bonds; shall report annually, on or before the first day of June, to the city council, an estimate of the expenses of the city and of the revenue necessary to be raised for the current year; shall keep regular books of account in which he shall enter all indebtedness of the city, and which shall at all times show the financial condition of the city, the amount of bonds, orders, certificates, or other evidences of indebtedness issued by the city council, the amount of all bonds, orders, certificates, or other evidences of indebtedness which have been redeemed, and the amount of each outstanding; shall keep accounts with all receiving and disbursing officers of the city, showing the amount they have received from the different sources of revenue and the amount which they have disbursed under the direction of the city council; shall examine all reports, books, papers, vouchers, and accounts of the city treasurer; shall audit all claims and demands against the city before they are allowed by the city council; and shall keep a record of claims presented and the action of the council thereon; shall keep a book properly indexed in which he shall enter all contracts, which book shall be open to the inspection of all persons interested; and shall

perform such other duties as the city council may provide by ordinance.

(See Taxes—Special Assessments.)

22. Compensation. The compensation of the auditor is hereby fixed at eighteen hundred dollars per annum, payable monthly as are the salaries of other city officials.

23. Oath. Bond. The auditor shall, before assuming the duties of his office, take and subscribe the constitutional oath of office, and shall furnish a bond to the city in the sum of ten thousand dollars.

24. Deputy auditor and clerk. The city auditor shall have power to appoint, during the term for which he is elected, a competent person to the position of deputy auditor, subject to confirmation by the city council, and who shall hold office until the Monday next succeeding the expiration of the term of office of the appointing power, and until his successor is appointed and qualified. The deputy auditor shall receive as compensation a salary of twelve hundred dollars per annum in full for all services rendered the city, the said salary to be paid monthly as are the salaries of other city officers.

In the absence, or during the disability of the city auditor, the deputy auditor shall exercise all functions and powers of the city auditor. He shall give a bond to the city in the sum of five thousand dollars. The auditor shall also have the power to employ during the term for which he is elected, a suitable person as clerk, at a salary of nine hundred dollars per annum, payable monthly as are the salaries of other city employees.

25. Annual financial statement. (R. S. 1898, Sec. 231, amended S. L. 1901, page 95.) The city auditor, * * * * * shall prepare and publish, on or before the first Monday in February of each year, in some newspaper having a general circulation in the city, a detailed statement of the

financial condition of the city, and of all receipts and expenditures for the previous year, ending December 31st, showing:

1. The total receipts of the city, stating particularly the source of each portion of the revenue.
2. The amount of cash on hand at the date of the last report.
3. The amount of the sinking fund, and how invested.
4. The number, date and amount of every bond issued or redeemed, and the amount received or paid therefor.
5. The indebtedness of the city, funded and floating, stating the amount of each class and the rate of interest borne by such indebtedness, or any part thereof.
6. The amount of cash in the city treasury, and in its several funds.
7. The total expenditures of the city, as shown by the warrants issued, giving in total the amount expended in each department.

26. **Transfer of books in his custody at the expiration of his term of office.** (See R. S. 1898, Sec. 220.) The city auditor shall, within five days after the expiration of his term of office, deliver to his successor in office, all properties, books and effects of every description in his possession belonging to the city or appertaining to his said office; and, upon his refusal so to do, he shall be liable for all damages caused thereby, and shall be deemed guilty of a misdemeanor, and upon conviction thereof he shall be punished by a fine of not less than five nor more than one hundred dollars.

CHAPTER VII.

BOARD OF PUBLIC WORKS.

27. **Appointment. Term.** The mayor shall, by and with the advice and consent of the council, appoint during the term for which he is elected, a board of public works, consisting of five members, residents and freeholders of the city.

28. **Compensation.** The chairman of the board shall receive as compensation a salary of five hundred dollars per annum, and each of the other members shall receive a salary of two hundred dollars per annum, which shall be in full for all services rendered; and which shall be paid monthly as are the salaries of other city officers.

29. **Oath. Bond.** Each member of the board of public works shall, before assuming the duties of his office, take and subscribe the constitutional oath of office, and shall furnish a bond to the city in the sum of five thousand dollars, except the chairman, whose bond shall be fifteen thousand dollars.

30. **Duties of board.** (R. S. 1898, Chapt. 13, Sec. 286). It shall be the duty of such board of public works, and it shall have power, to make contracts on behalf of the city for the performance of all such work, and the erection of all such improvements as may be ordered by the council, but all such contracts shall be subject to the approval or rejection of the council; to superintend the performance of all such work, and the erection of such improvements, except the supervision of the construction of city halls, market houses, jails, or other public buildings. It shall also be the duty of said board to approve the estimates of the city engineer which may be made from time to time, of the value of the work as the same may progress; to accept any work done or improvement made, when the same shall be fully completed according to contract,

subject, however, to the approval of the council; and to perform such other duties as may be devolved upon them by ordinance.

31. Heads of city departments eligible for appointment to board. The heads of departments who are eligible under the law, may, by the mayor, with the advice and consent of the city council, be appointed to be members of the board.

32. City recorder is clerk of board. The city recorder shall act as clerk of the board of public works and keep the records and files of the board in his office.

33. Inspectors. The board shall have the power to employ, subject to the approval of the council, such inspectors as shall be necessary for the proper conduct of any work under the supervision of the board.

34. Duties of Board. Contracts. Every contract made by said board shall contain such stipulations as shall require the contractor to erect and maintain good and sufficient guards, barricades and signals at all unsafe places at or near where the work or improvement contemplated by the contractor is to be done or made; also such stipulations as will render the contractor and his bondsmen in every case liable to the city for any liability that it may incur for any injury that any person may suffer by reason of the failure to erect and maintain such good and sufficient barricades, guards or signals; every contract shall also contain a provision, that in case any injury to any person shall arise by reason of the failure to erect and maintain such barricades, guards and signals, or by reason of any negligence of the contractor, his agents or employees, during the performance of the contract or before the warrants to become due on the contract shall have been delivered, the city and its officials may withhold such payment so long as shall seem necessary for the indemnity of the city. Such contracts shall also contain a provision that when the contractor shall remove any earth from any street,

alley or other public place, the same shall, when replaced, be solidly tamped, and the said board shall make such further rules and regulations in the said city's behalf as will insure full protection to the city from loss or liability, and make such further stipulations in such contracts as will insure the city from all loss or liability that may arise by reason of the carelessness or negligence of such contractors, their agents or servants.

35. Specifications. Advertisements. It shall be the duty of the board, in connection with the city engineer, to supervise and prepare all specifications for sewer work, paving, macadamizing or repaving, or other work, when necessary to be let by contract, such specifications to be submitted to the city council for approval before being advertised; and to advertise for bids for the work to be done, for a period of not less than two weeks; said advertisement to be inserted at least twice a week in a daily paper of the city for the period specified, and in such other additional journals as may be deemed expedient and as the council may specially order.

36. Books. The board shall keep the following books: A book termed "Book of Specifications," in which shall be entered full and complete specifications of work for which bids have been advertised, and printed copies of all advertisements published pertaining thereto, with a memorandum of the dates when each advertisement was published, together with the cost of the same. A book in which shall be entered in detail full and complete minutes of all the transactions and proceedings of said board at general and special meetings. A book termed "Contract Book," in which all contracts signed by the board on behalf of the city shall be entered at length. Such other books as may be necessary to constitute a complete record of all the business transacted by the board. The books in this chapter provided for, shall be regarded as public records and shall be open to inspection during office hours by any officer or taxpayer of the city.

37. Regular and Special Meetings. Quorum. Votes.

The board shall meet regularly at least twice each month, on such days and at such hours as it may determine. Three members, shall constitute a quorum to transact business. Votes upon all questions coming before the board shall be recorded, specifically giving the names of those voting and how the votes are cast.

38. Temporary Chairman.

In case of sickness or prolonged absence from the city of the chairman of the board, the mayor, with the approval of the council, shall designate one of the four remaining members to act as temporary chairman, who shall have the same power and perform all the duties of the regular chairman during such sickness or absence. The temporary chairman while acting as such shall be entitled to receive the salary of the chairman; and during such period the chairman shall be entitled to the salary of a member only.

39. Contracts. Bonds. Abstracts of Bids. Estimates.

All contracts for grading, paving, repaving, macadamizing or guttering any street, avenue or alley, or any part thereof, in the city, for which a special tax shall be levied, shall be done by contract with the lowest responsible bidder. The right to reject any and all bids shall be reserved in all cases. Good and sufficient bonds shall be required of all contractors, to be approved by the board subject to the approval of the council. The board shall, after duly advertising for bids for any public work that may be ordered by the council, and after opening the bids, cause an abstract of the bids made, to be submitted to the council with its recommendations touching the same. When any contract shall be approved by the council, the board may at once assume charge of the performance thereof. All monthly or other estimates of the city engineer based upon contract work done under the supervision of the board must be approved by the board, and duly certified by its chairman before the same shall be acted upon or appropriated by the council.

40. Contractors.

The board shall not accept or approve

final estimate for work done by any contractor for paving or curbing until he shall have cleaned up the street along the line of improvements made, and removed from the sidewalks all obstructions caused by making the improvements. (Street Excavations see Sections 694-700.)

41. Repairs of Paving, Curbing, Guttering and Aprons.

The board shall have, and it is hereby required to exercise supervision over all paving, curbing and guttering, and over the aprons placed on gutters and at street crossings, and upon information to said board that any of said paving, curbing or guttering is defective or out of repair, or that any of said aprons are misplaced or mislaid, or injured or destroyed, said board shall take immediate steps to restore, replace and repair the same, and for this purpose said board is hereby authorized to call upon the street supervisor to furnish such labor as may be requisite and within his power to provide.

42. Sidewalks. Where grading or other work on the streets requiring the removal of sidewalks is being done or performed by contractors, the board shall have supervision of such removal and of the replacement of such walks. The board is hereby empowered and directed, to call upon the city engineer to examine and report the condition of such walks before removal and thereafter, and when such work on said street is done and performed, to require the contractor performing such work to restore and replace the sidewalks so removed as fully and completely as is practicable and consistent with the condition of the same before removal, and said board shall withhold from said contractors their final estimate until such requirements regarding said walks are complied with.

43. Authority for Expenditures. In all cases where work is required to be done by the board or under its supervision, and such work cannot be done by regular city employees, but an expenditure of money is required, the board shall at once report the fact, together with an estimate, to the

city council, and receive authority for making the expenditure desired.

44. Bonds. Sureties. Any and all bonds executed or given by any and all contractors for the performance of any public work, fulfillment of any agreement, or performance of any duty in which said contractors may engage with the city, shall be signed by a responsible corporate surety company, or by at least two individual sureties, who shall be resident freeholders of the County of Salt Lake, State of Utah, who shall severally justify, under oath, that they are such resident freeholders, and worth the amount of said bond, over and above all debts and liabilities, and exclusive of property exempt from execution. Said sureties shall, if required, furnish under oath a statement of the realty of which they claim to be owners at the time of executing any bond by them as such sureties.

45. Who not accepted as sureties. No person, firm or corporation having or being interested directly or indirectly in any contract or agreement with the city for the performance of any service, or fulfillment of any duty, or obligation to the city, shall be accepted as surety upon the bond of any contractor having agreements or contracts with the city, and no **person holding any official position** under or in connection with the city, shall be accepted as such surety.

46. Additional duties of board. It shall be the duty of the board of public works to enforce the conditions of all contracts entered into by it on behalf of the city. The board is hereby prohibited from accepting or approving any bond, for any public work or service not executed in accordance with the provisions of this chapter. In transmitting any bond to the city council for its approval, the board shall certify that said bond complies with the requirements of this chapter.

CHAPTER VIII.

BUILDINGS AND STRUCTURES.

47. Inspector of buildings. Appointment. Compensation. The mayor shall have the power to appoint, during the term for which he is elected, subject to the confirmation of the council, an inspector of buildings, who shall hold office until the Monday next succeeding the expiration of the term of office of the appointing power, and until his successor is appointed and qualified. He shall receive a salary of nine hundred and sixty dollars per annum, in full for all services rendered the city, which shall be payable monthly, as are the salaries of other city officers.

48. Oath. Bond. The inspector of buildings shall, before assuming the duties of his office, take and subscribe the constitutional oath of office, and shall furnish a bond to the city in the sum of two thousand dollars.

49. Duties. It shall be the duty of the inspector of buildings to examine all buildings in course of erection or alteration, as often as practicable, and make a record of all violations of the building regulations contained in this chapter, together with a record of the street and number where such violation has occurred, the name of the architect, owner and builder and all matters relating thereto, and when such violations occur, he shall immediately institute proceedings for their abatement, and complain against the offenders. He shall report quarterly to the council, or oftener if required, on the work of his office.

50. Examine and certify as to structures. Permits. It shall be the duty of the inspector of buildings to examine, when so requested, any public or private building, certify to the strength, safety and general condition of the structure,

and issue permits for any proposed construction or alteration thereof, when in conformity with the requirements of this chapter.

51. **Inspector to pass upon any question relating to building not provided for in the ordinances.** The inspector of buildings is hereby empowered to pass upon any question relative to the manner of construction, or material used in the erection, alteration or repair of any building or structure within the limits of Salt Lake City, not provided for in this chapter, to make the same conform to the true intent, meaning and spirit of the several provisions of this chapter, and his decision shall be final.

52. **Special inspections. Fee.** It shall be the duty of the inspector of buildings when requested, to inspect building material, measure buildings, building material, mason and other constructive work, and certify to the measurements or inspection. For such special inspections, the inspector of buildings is hereby authorized and empowered to collect from the person or persons requesting such inspection, the sum of one dollar for each hour actually employed upon such special inspection.

53. **Inspector to abate danger from fire.** It shall be the duty of the inspector of buildings to require the removal, or prevent the construction of any fireplace, chimney, hearth, stovepipe or other appliance used in any building, which he may deem unsafe, or liable to endanger life or property. It shall be his duty to carefully examine any structure or appliance from which danger of fire may be apprehended, and, if found to be unsafe, cause it, without delay and at the expense of the owner, or the occupant of the premises, to be removed or placed in such condition as not to be dangerous.

54. **Dangerous buildings.** When, upon examination any building or other structure or part of any building or other

structure shall be adjudged dangerous to life or property, the inspector of buildings shall immediately notify the owner of such building or structure, or his agent or the occupant thereof to have the same removed, repaired or secured within twenty-four hours thereafter; and if the owner, agent or occupant fails so to do, he shall be deemed guilty of a misdemeanor, and it shall be the duty of the inspector, and he is hereby given the power and authority, to demolish or secure such building or structure so as to insure safety. In carrying out the provisions of this section, the inspector may call upon the police or fire department, or both, for assistance, or employ labor or purchase material needed, and the expense thereof shall be collected from such owner, agent or occupant.

55. Dangerous walls and unsafe buildings. It shall be the duty of the inspector of buildings, whenever in his opinion, any wall or any part of a burned building is dangerous to life or property, or when any building shall be deemed unsafe or dangerous for the purpose for which it is used, or shall be in danger of fire from any defect in its construction, to notify the owner, agent or occupant of such building in writing, specifying of what the danger consists, or wherein the building is unsafe or defective. Upon receipt of such notice it shall be the duty of such owner, agent or occupant to immediately put such building in a safe condition, or to forthwith pull down or secure such wall or dangerous parts of a burned building, and it shall be unlawful for him to neglect or fail so to do.

56. Damaged frame buildings. Arbitrators. Moving. It shall be unlawful to repair any frame building within the fire limits when such building shall have been damaged by fire, the elements or decay to the extent of fifty per cent of its original value. The decision of the inspector of buildings shall be conclusive as to the amount of damages to any building, unless the owner of such building objects to such decision and files with the inspector of buildings, within five days after notice of such decision, a petition asking for the appointment

of arbitrators to determine the question of damages, and makes deposit as hereinafter provided. Such arbitrators shall consist of three disinterested persons; one to be chosen by the inspector of buildings, one by the party filing the petition, and the third by the two thus chosen. The decision of a majority of such arbitrators filed with the inspector of buildings shall be final and conclusive. The party asking for arbitration shall, on filing his petition, pay thirty dollars to the inspector of buildings, which amount shall be paid to the arbitrators in full of all cost of arbitration and compensation of arbitrators. It shall be unlawful for any person or persons to move any frame building from one place to another within the fire limits.

57. Roofs damaged by fire. Repairs. It shall be unlawful for any person to repair the roof of any building, within the fire limits, damaged by fire, when the damage to such roof exceeds fifty per cent of its value. If the roof of any building is damaged by fire to the extent of fifty per cent or more of its value, the entire roof shall be taken off and replaced with a new roof of some non-combustible material, approved by the inspector of buildings. It shall be unlawful in repairs, to increase the height of the roof, or to replace or repair shingled roofs with wood shingles within the fire limits, except as provided in this section.

58. Permit required. Exception. It shall be unlawful for any work to be done upon any building within the limits of Salt Lake City, except necessary repairs, without a permit from the inspector of buildings, nor except in conformity with the provisions of this chapter.

59. Ordinary repairs. Ordinary repairs may be made to buildings without notice to the building inspector, but such repairs shall not be construed to include the cutting away of any stone or brick wall, or any portion thereof, or the removal or cutting of any beams, partitions, or supports, or the removal, change or closing of any stair case.

60. Buildings in fire limits. Nature. It shall be unlawful to erect, within the fire limits, buildings with walls of any material except brick, stone, iron or other substantial and non-combustible material, *provided*, that the following wooden buildings only shall be permitted to be constructed, viz: sheds to facilitate the erection of authorized buildings; coal sheds not to exceed ten feet in height, and not to exceed one hundred feet in area, and privies not to exceed thirty-six feet in area, and ten feet in height, and all such sheds and privies shall be separate structures. Buildings constructed of wood or other combustible material and covered with sheet metal are not iron buildings within the meaning of this ordinance, and such metal covered walls are prohibited, except where wooden buildings are permitted.

61. Plans must be submitted and approved. It shall be unlawful for any person as owner, agent or architect, to commence or continue the construction, erection or alteration of any building or any part of a building within the limits of Salt Lake City, without first having submitted to the building inspector at his office, a detailed statement in writing, or, when plans are made, a full set of the plans of such proposed work, together with the full name and residence, street and number of the owner of said building, and having had said detailed statement or plans approved by him. Said detailed statement or plans shall be kept on file in the office of the building inspector until the proposed work is completed. Nothing in this section shall be construed to prevent the building inspector from granting his approval for the erection of any part of a building, when plans and detailed statements have been presented for the same, before the entire plans and the detailed statements have been submitted, but no contracts for the erection of any building or part of a building shall be let until the plans shall have been approved by the building inspector in writing upon the face of such plans. It shall be unlawful for any person to enlarge, raise or build upon any building without a permit from the build-

ing inspector, which permit shall be issued only after an examination of the premises shall have been made by such official.

62. Alteration in plans. It shall be unlawful for any owner, his agent or architect, after a permit shall have been granted for the erection, construction or alteration of any building within the limits of Salt Lake City, to alter or change the plans for such building without giving notice of such alteration or change to, and receiving a permit from the building inspector.

63. Fees. If, upon consideration of such detailed statements or plans, it shall appear to the building inspector that the manner of erection, character of construction and kind of material are in accordance with this chapter, the said building inspector shall thereupon grant a permit to make such construction or alteration, upon the payment of the following fees: In case the estimated cost of any building, addition or alteration shall not exceed the sum of one thousand dollars, the fee shall be one dollar for such permit, and for each additional one thousand dollars up to ten thousand dollars, fifty cents per thousand; above ten thousand dollars to twenty thousand dollars, forty cents per thousand; for each additional one thousand dollars above twenty thousand dollars to forty thousand dollars, thirty cents per thousand; for each additional one thousand dollars above forty thousand dollars, twenty cents per thousand; and for all services other than those specified, he shall receive not to exceed one dollar per hour. All fees collected by him shall be covered into the city treasury.

64. Inspector to have power to prohibit construction. The building inspector shall have the power to order stopped the construction, or the making of alterations or repairs on any building, where such work is being done in violation of any of the provisions of this chapter, and it shall be unlawful for any owner, architect, builder, contractor or other person employed in such work, to fail to comply with such order.

65. Adobes and imperfectly burned brick prohibited.

It shall be unlawful for any person to use, or permit to be used in any building within the fire limits, any adobe or imperfectly burned brick, or other unsuitable material, except as provided in the following section. The building inspector shall have power to order the immediate removal of any such material found upon or adjoining any premises where building, alterations, or repairs are in progress, and it shall be unlawful for any owner, architect, builder or contractor, when notified by the building inspector, to fail to comply with his order.

66. Adobes in walls. When permitted.

It shall be unlawful to use adobes less than six inches wide on the bed, or any adobes not faced with hard burned brick, properly bonded, in enclosing walls of residences, exceeding ten feet in height, or to use adobes, brick size in such walls, except in two courses faced with hard burned bricks, properly bonded, making a wall twelve inches thick, or to use adobes at all in first story walls of any building more than one story high.

67. Cellar excavations. Depth.

The established depth of excavations for cellars and basements shall be, and the same is hereby fixed at ten feet below the sidewalk grade in front of the same. Any person who shall excavate below the above established depth, shall, at his own proper cost and charge, save and protect the owners of adjoining property from injury or damage resulting from such excavation. It shall be unlawful for any person to make any excavation below the established depth, without first filing with the building inspector a written notice stating the location of the proposed excavation, street and number, and the name and address of the owner or agent; also the depth of the proposed excavation, and a statement of the methods to be employed for the protection of adjoining property, and receiving from said building inspector a permit to do the said work.

68. Foundation walls. Cement.

Whenever excavations are to be made, which are to be less than ten feet below

the sidewalk grade, the owner, or agent of the property where the excavation is to be made, shall give written notice to the owner or agent of the adjoining property not less than three days prior to the commencement of the proposed excavation, setting forth the dimensions thereof, and the date upon which such excavation will be commenced. The parties so notified shall protect their own walls from danger or damage that may arise in consequence of the proposed excavation, and the parties excavating shall employ reasonable precautions to protect the adjoining property; and it shall be unlawful to start said work without first having properly served the aforesaid notice. It shall be unlawful to construct foundation walls except of stone or brick, and which shall be at least four inches thicker than the wall next above them, and so proportioned that the pressure shall be equal on each square foot of such foundation wall, or to construct such walls except they be laid in cement or brown lime mortar, or to use inferior lime or cement, or to fail to well fill all joints in such walls.

69. Retaining walls. Dimensions. It shall be unlawful to construct retaining walls inclosing an area under any sidewalk or alley within the limits of Salt Lake City, except of stone or hard burned brick, laid in good cement or lime mortar and properly bonded; or to construct such retaining walls of a less thickness than is designated in the following table:

Walls ten feet high or less, and not exceeding ten feet	
in length of span	18 inches
Over ten feet and less than fifteen feet	22 "
Over fifteen feet and less than twenty-five feet	26 "
Over twenty-five feet and less than thirty-five feet	30 "

Walls more than ten feet high shall be increased in thickness two inches for each additional foot. Retaining walls twenty-two inches or more in thickness may be battered or sloped on the face, not to exceed one inch to one foot in height.

70. Cut stone and Ashlars. It shall be unlawful to con-

struct cut stone facing of walls unless the same shall be backed up with brick-work of the same thickness as is required when no cut stone is used; or to construct Ashlar fronts unless properly bonded to the brick-work, or having a backing of the same thickness as self-supporting fronts or walls.

71. Party walls. Any party wall now existing, that shall have been built conformably to the requirements of any law regulating the construction of such walls in force at the time of such construction, if sound and in good condition, may be used in the construction of an adjoining building; *provided, however,* that it shall be unlawful to place brick-work upon such wall unless said existing wall shall at least equal in thickness that required for division walls in the class of buildings to which it belongs. This shall apply in all cases where it is desired to add additional height to any building. In case outside walls of any building are being built against the walls of any old building (not being a party wall) the new wall shall be of the same thickness as required for outside walls of such building.

72. Party walls above roof. It shall be unlawful to construct a party or division wall unless it be through and at least sixteen inches above or distant from the roof boarding at every part of the roof, and properly coped with metal or other non-combustible material.

73. Tables for walls of buildings. It shall be unlawful to construct walls of business buildings, if of brick or stone, unless the same shall be of the thickness (in inches) designated in the following table:

	BASEMENT	FIRST STORY	SECOND STORY	THIRD STORY	FOURTH STORY	FIFTH STORY	SIXTH STORY	SEVENTH STORY
Incloing walls:								
One story high.....	12	12						
Two stories high.....	16	12						
Three stories high.....	16	16	12					
Four stories high.....	24	20	16	12				
Five stories high.....	24	20	20	16	12			
Six stories high.....	28	24	20	20	16	12	16	
Seven stories high.....	28	24	24	20	20	16	16	16
Four stories less than 10 feet in length.....	24	20	16	12	12			
Five stories less than 100 feet in length.....	26	20	16	16	12			
Six stories less than 100 feet in length.....	28	24	20	20	16	16	12	
Seven stories less than 100 feet in length.....	28	24	24	20	20	16	16	12

	BASEMENT	FIRST STORY	SECOND STORY	THIRD STORY	FOURTH STORY	FIFTH STORY	SIXTH STORY	SEVENTH STORY
Division Walls:								
Three story building.....	16	12	12	12				
Four story building.....	20	16	16	12	12			
Five story building.....	24	20	20	16	16			
Six story building.....	24	20	20	20	16	16	16	
Seven story building.....	24	24	20	20	20	16	16	16
Front and Rear Walls:								
Four story building.....	20	16	16	12	12			
Five story building.....	20	20	16	16	12	12		
Six story building.....	24	20	16	16	16	12	12	
Seven story building.....	24	20	20	20	16	16	12	12
Partition Walls:								
One story building.....	12	8						
Two story building.....	16	12	12					
Three story building.....	16	12	12	12				
Four story building.....	20	16	16	12	12			
Five story building.....	20	20	16	16	12	12		
Six story building.....	24	20	20	16	16	12	12	

Walls of dwellings, if of brick or stone shall be of the thickness (in inches) designated in the following table:

	BASEMENT	FIRST STORY	SECOND STORY	THIRD STORY	FOURTH STORY
Walls of Dwellings:					
Basement and two stories.....	12	12	8		
Basement and three stories.....	16	12	12	8	
Division Walls, Basement:					
Two stories.....	12	12	12		
Three stories.....	12	12	12	12	
Four stories.....	16	12	12	12	12

74. **Walls for trussed roofs.** It shall be unlawful to construct the outside walls of buildings having trussed roofs or ceilings, such as churches, public halls, theaters and the like, if more than fifteen and less than twenty-five feet high, except they shall average at least sixteen inches in thickness; if over twenty-five and under forty feet high, at least twenty-four inches in thickness; and unless an increase of four inches in thickness be made in all cases where the walls are over one hundred feet in length, unless there are cross walls of equal thickness.

75. **When walls are to be increased.** It shall be unlawful to increase the height of any building beyond the height for which the original permit is granted, without first procuring a new permit therefor, and then the thickness of the walls thereof shall be increased in accordance with the above tables.

76. **Height of stories.** It shall be unlawful to construct or build any building for more than one story except as follows: The height of stories for all given thickness of walls must not exceed eleven feet in the clear for the basement, eighteen feet in the clear for the first story, fifteen feet in the clear for the second story, twelve feet in the clear for the third and fourth stories, and fourteen feet in the clear average height for the upper story. If any story exceeds these heights,

the walls of such stories and all stories below must be increased four inches in thickness, in addition to the thickness prescribed in Section 73. Any front or rear wall supporting beams or girders shall be increased eight inches in thickness for two feet in width, forming buttresses or pilasters directly under such beams or girders.

77. Buttresses. When solid buttresses are employed with a sectional area of three hundred or more square inches, exclusive of the wall area, placed less than eighteen feet apart, and extended to or nearly to the top of the walls, four inches may be deducted from the thickness of any walls having such buttresses.

78. Recess, chase or flue. It shall be unlawful to construct any continuous recess, chase or flue in any party wall to such a depth that the thickness at the back is less than eight inches at any point, nor shall any recess of any kind whatsoever be made in any eight inch wall. It shall be unlawful to construct a horizontal recess in any wall except by special permit of the building inspector, and no continuous vertical recess other than flues in stacks shall be nearer than seven feet to any other recess.

79. Kind of mortar to be used. It shall be unlawful to use in the construction, alteration or repair of any building, or part thereof, mortar which is not composed of lime or cement mixed with sand in the proper proportion, or to use lime and sand after the same shall have been mixed twelve hours, or cement after having been mixed six hours; and all walls or parts thereof below the ground line shall be laid in lime and cement mortar, in the proportion of at least one of cement to four of lime; and no inferior lime or cement shall be used, and all sand shall be clean, sharp grit, free from loam; and all joints and walls shall be well filled with mortar.

80. Heading or binding course. It shall be unlawful to construct any brick building except as follows: Every seventh

course of a brick wall shall be a heading or binding course, except when the walls are faced with face brick, in which every seventh course shall be bonded by cutting course of faced brick and putting diagonal headers behind the same, or by using metal bonds which have been approved by the building inspector.

81. Lintels and arches. It shall be unlawful to construct lintels except as follows: All lintels used to support walls or other weights over openings shall be of sufficient strength and bearing to carry the superimposed weight, and iron beams or lintels when supported at the end by brick walls or piers, shall rest upon an iron plate at least one inch thick, the full size of the bearing, and all arches not having sufficient piers or abutments to resist the thrust of the superimposed load, shall have proper and sufficient iron ties.

82. Manner of building chimneys and flues. It shall be unlawful to construct any chimney, not forming a part of a wall, except the same shall be built upon a firm foundation of stone or brick, *provided*, that it shall be unlawful to construct flues or chimneys except of hard burned brick, slushed and flush jointed, plastered inside with mortar, and plastered on the outside before any woodwork shall be placed against them; and such chimneys or flues shall be topped out with brick or stone at least four feet above the roof; and with no furring fastened thereto, or nails driven into the brick work surrounding such flue or chimney. It shall be unlawful to construct brick work corbelled out from the wall to support chimneys having to exceed three-fourths of an inch projection, to each course, and in no case shall such chimney project more than four inches from the face of the wall; and all chimneys projecting more than four inches from the wall shall be supported by piers, and such piers shall extend from the bottom of the foundation and be the full size of the chimney breast.

83. Chimneys in one story cottages. It shall be unlawful to support chimneys by framework or posts of wood except in one story cottages, when the height of the brick work does not exceed sixteen feet, and then only by framework or posts of wood, which shall be of suitable strength to support the weight.

84. Factory chimney-spark arrester. It shall be unlawful for the owner, agent, occupant, or other person having the management or control of any steam saw-mill, planing-mill or factory of any kind, or foundry, machine shop, power plant or other establishment or building of any kind within the limits of Salt Lake City, to construct, erect or maintain any smokestack or chimney in connection therewith at a height of less than ten feet above the highest building within a radius of one hundred feet, or to construct such chimney or stack without having the same securely braced or stayed, or provided with a bonnet or spark arrester, or to construct the same in such manner as does not meet with the approval of the building inspector.

85. Forge and furnace chimneys. It shall be unlawful to construct any forge chimney or flue which shall not be raised at least ten feet above the roof of the building, by or through which it passes; or which shall not be provided with a deadening flue or fire spark arrester of woven wire placed on the top or within such chimney or flue, of such form as shall be approved by the building inspector.

86. Manner of setting stoves. It shall be unlawful to set any stove or other fire apparatus in which fire is to be kept nearer than eight inches to the floor, except that such as have no fire place on the lower plate, may be set within four inches of the floor on which they stand. The top and side plates shall not be set nearer than twelve inches to any wood partition, or other woodwork, unless the woodwork is effectually protected from fire by a metallic or non-combustible covering.

87. Stovepipe through roof forbidden. It shall be unlawful for any person to permit or allow any stove pipe through which smoke or heat issues, to project through the roof or side of any building within the limits of Salt Lake City.

88. Cellarway or area. Permit and bond required for construction. It shall be unlawful for any person to erect or construct any stairway or passage leading from any street, avenue or alley, into the basement or cellar of any building within the limits of Salt Lake City, and thereby occupy any portion of the street, alley or sidewalk, or to excavate or construct any area or vault under any sidewalk or any portion of the public streets, avenues, or alleys of Salt Lake City, unless the party so constructing the same shall have procured a permit so to do from the city council, and shall have given a bond in an amount fixed by the building inspector, not less than one thousand nor more than ten thousand dollars, which shall be approved by the council. Such bond shall run to Salt Lake City and to any person injured, and shall be conditioned for the payment of all damages that may be adjudged against him or them, or against said city on account of any injury which may happen to any person or property by reason of such stairway, passage, area or vault, or by reason of the unsafe or dangerous condition of the same, or of any covering, grating or railing being over or about the same. And in no case shall excavations be made at a less distance than three feet from the curb line of the sidewalk.

89. Egress from cellars and basements. It shall be unlawful to construct any cellar or basement under any building erected for business purposes within the fire limits, without providing the same with suitable openings for egress therefrom to the outside of the building in at least two separate places, one of which shall be located at the front, and the other at or near the rear of such cellar or basement; such openings shall be equipped with non-combustible ladders or

steps leading to the surface of the street or alley; or to cover the openings thereof with anything but iron doors or gratings, opening outward and fastened on the inside only with a hook or sliding bolt; or to fail at any time to maintain an unobstructed passageway, not less than four feet in width, leading from the entrance of the cellar to each of the aforesaid exits; or for any person to refuse to permit examination of such cellar or basement by the building inspector, chief of the fire department, policeman or health officer at all reasonable times.

90. Size of cellarways. Protection. It shall be unlawful to construct cellarways, or entrances to the basement of buildings leading from the sidewalks except as follows: Entrances and cellarways may be constructed not to exceed four feet in width, and where such entrance or flight of steps is not safely and securely covered, shall be enclosed with a permanent railing on each side, at least three feet high from the top of the sidewalk or pavement, together with either a gate to open outward, or two iron chains across the front of the entrance-way, one near the top and the other half way from the ground to the top of the railing, the whole to be constructed subject to the approval of the building inspector; such gate or chains shall, unless there is a light burning over the steps to prevent accident, be closed during the night.

91. Coverings of coal holes. It shall be unlawful to cover coal holes or other excavations or openings in streets or sidewalks, except they be constructed of iron, iron and glass, or durable stone, supported by iron beams of sufficient strength to support three hundred and fifty pounds to each square foot of sidewalk, said beams to rest on solid masonry or other substantial fireproof construction, and to be of such description and workmanship as the inspector may direct. When such covering is otherwise constructed, or is, in the opinion of the inspector, unsafe or inconvenient for the public travel, he may order the same to be removed and a suitable one substituted therefor. If such removal and substitution is not completed within ten days after the service of the order

upon the owner, agent or occupant of the premises, or other person having the care thereof, the building inspector shall make the necessary change, and the expense thereof shall be paid by the owner, agent or occupant of the premises. It shall be unlawful for any person to leave such coal hole or other excavation or opening uncovered, or with its cover unfastened, except while it is in actual use in the daytime.

92. Gratings in sidewalks. It shall be unlawful for any person to place in a sidewalk within the limits of Salt Lake City any grating, the spaces between the bars of which are more than one and one-quarter inches in width; nor shall any grating project into a sidewalk more than three feet.

93. Hot water, steam and ventilating pipes and ducts. It shall be unlawful for any person to place any pipe or pipes for the conveyance of hot air or steam, nearer than one inch to any wood unless such pipe or pipes are protected by fire proof covering which shall first be approved by the building inspector; or to install or use any wooden flue or air duct of any description for heating or ventilating pipes; or to install or use any steam or hot water pipe or pipes which shall not be provided with metal sleeves and collars where such pipes pass through floors or any wood construction.

94. Strength of floors. It shall be unlawful to construct floors in any building erected within the limits of Salt Lake City, unless such floors shall be of sufficient strength to bear the weights designated in the following table, exclusive of the weight of the material used in their construction:

Storage or warehouse, to each square foot	150	pounds
Factory or commercial store, to each square foot . .	125	"
Public assembly hall, theater, to each		
square foot	100	"
Residence	75	"

And each column, post or other vertical support shall be of sufficient strength to bear safely the weight imposed there-

on in accordance with the foregoing table. And it shall be unlawful for the owner or occupant of any warehouse within the limits of Salt Lake City not to have posted in a conspicuous place upon each story, the amount of weight that each floor will safely sustain upon each superficial foot, evenly distributed, or for any person or persons to place or cause to be placed a greater weight upon any floor than that provided for in this section.

95. Roof and floor timbers. It shall be unlawful to use in the construction of any floor or roof in any building within the limits of Salt Lake City any timber which is not straight grained and free from unsound knots or weakening shakes, or to use roof or floor timbers entering a party or division wall from opposite sides, of less than four inches of solid brickwork between the ends of such timbers.

96. Headers, trimmers and tail beams. It shall be unlawful to construct or use any header more than four feet long in any building, except a dwelling, erected in Salt Lake City, unless the same be hung in stirrup irons and securely joint-bolted, or to use any but double trimmers and headers, or to construct or use tail beams not properly framed to headers.

97. Timbers or joists not to be cut for piping or wires. It shall be unlawful to cut into any floor joists, headers or trimmers of any building to a greater depth than two inches for any piping or wiring, except by the permission of the building inspector, or to cut in any timber at a greater distance than three feet from its supports.

98. Rough floor to be laid. It shall be unlawful in the construction of brick buildings, two stories or more in height, except dwellings, to fail to have a rough floor laid as soon as the joists are in position upon the wall.

99. Manner of securing cornices. It shall be unlawful, in the construction of cornices, other than brick, in brick

buildings erected within the limits of Salt Lake City, to fail to have the same secured to the walls with iron anchors, independent of any woodwork, the walls to be carried out to the boarding of the roof; or to permit the cornice to project above the roof, unless the wall be carried up to the top of the cornice and covered with metal.

100. Fire escapes. It shall be unlawful for the owner, agent or occupant of any building, except such as is used as a private residence exclusively, of three or more stories in height to fail to provide said building with one or more metallic ladders or metallic fire escapes, and stand-pipes extending from the first story of such buildings, to and above the roof and on the outer walls thereof, in such location and numbers and of such material and construction as the building inspector and the chief of the fire department may determine; *provided, however*, that all buildings more than two stories in height used for manufacturing purposes shall have one metallic ladder for every twenty-five persons or less employed above the second story, and all such fire escapes shall be kept in good repair, and it shall be unlawful for any person, at any time or in any manner, to place, or cause to be placed, any obstructions of any kind to the free and proper use thereof. Such buildings shall be open at all times for examination by the building inspector, chief of the fire department or any policeman.

101. Egress from public buildings. It shall be unlawful for any person, firm or corporation owning or having the control or management of any theatre, church, hotel, school-house or other public building resorted to or occupied by a considerable number of persons, to fail to provide the same, under the direction of the building inspector, with sufficient and safe means of speedy escape in case of accident or fire. In all cases the doors of such buildings when used for public passage, shall open outwardly, and the doorways and passages shall be so constructed as to allow in the aggregate twenty-four inches

width for every hundred people such building is capable of seating. All aisles and passages in buildings used for public assemblages shall be kept free from chairs, stools, sofas, benches and other obstructions during any performance, service, exhibition, concert, lecture or any public assemblage. All doors and exits of concert halls, theatres, or other places of amusement where performances are given shall, during the continuance of the performance, concert, or service be kept unlocked, and in a condition to permit of the speedy exit of the audience.

102. Bay windows and store fronts. It shall be unlawful for any person to erect any bay window which shall project over any sidewalk within the limits of Salt Lake City more than twenty-four inches; and no part of such bay window shall be less than ten feet above the grade of the sidewalk. It shall be unlawful to construct store fronts, or other show windows, within the limits of Salt Lake City, which shall project on to any sidewalk beyond the property line.

103. Signs on or over streets or sidewalks forbidden. It shall be unlawful to erect or maintain any sign or sign post of any design or description on any sidewalk, or to permit such sign or sign post to project over, across or along the outer edge of any sidewalk, or across any water ditch, or on or over any part of any street, or to permit such sign or sign post to project from any building, to which it may be attached over the sidewalk to a greater distance than twenty-four inches.

104. Canvas awnings. It shall be unlawful for any person to construct or maintain any awning on or over any of the sidewalks within the limits of this city, except as hereinafter provided. All canvas awnings shall be affixed to and suspended from the buildings, and where the sidewalks are not less than twenty feet wide, such awnings shall not project over the sidewalk to exceed ten feet, and no part of said awnings shall be less than eight feet above the grade of the sidewalk. Where

the sidewalks are less than twenty feet in width, said awnings shall not project from the building to which they are suspended more than eight feet, and no part thereof shall be less than eight feet above the grade of the sidewalk.

105. **Permanent porticos.** It shall be unlawful to construct permanent porticos less than the entire width of the sidewalk; the outside line of the posts or supports of said porticos on sidewalks of twenty feet in width shall be uniformly nineteen feet from the line of the lots; and where the sidewalks are less than twenty feet in width, said posts or supports shall be uniformly within six inches of, and on a line with the outer edge of the sidewalk. All such posts or supports shall be placed on substantial stone footings, and shall be of iron or stone. The deck or roof of said porticos shall be water tight, and, within the fire limits, shall be covered with metal or other non-combustible material, no part of which, on sidewalks twenty feet wide, shall be less than twelve feet above the grade; and on sidewalks less than twenty feet wide, not less than ten feet above the grade. The whole structure shall be thoroughly braced and constructed in a safe and substantial manner to the acceptance of the building inspector. It shall be unlawful to construct any such portico without the consent of the city council, and no wooden porticos shall be permitted to be constructed within the fire limits of the city.

106. **Plans to be approved by the building inspector.** It shall be unlawful for any person to erect a permanent portico within the fire limits of Salt Lake City, without first submitting plans and specifications of the proposed structure, including the kinds of material to be used, to the building inspector, and obtaining his approval, before application is made to the council for permission to erect such structure.

107. **Numbers for houses.** It shall be unlawful for any person to erect a house or building on any street, lane or alley within the limits of Salt Lake City, without first applying to

the city engineer for the correct street number for said house or building; or within thirty days after such number is obtained from the said official to fail to cause a painted, carved or cast duplicate of such number to be placed in a conspicuous position upon the front of such house or building in a permanent and durable manner.

108. Bill boards. It shall be unlawful to erect or maintain within the corporate limits of Salt Lake City, any sign board or bill board or other structure used or intended to be used for advertising purposes, which shall be of a greater height than twelve feet, measured vertically from the grade of the lot whereon the same is erected or maintained; or to erect or maintain any such sign board, bill board or other structure herein mentioned, without leaving an open space of not less than two feet, measured from the surface of the ground vertically to the lowest point of said sign board, bill board or other structure. Any sign board, bill board or other structure erected or maintained in violation of the provisions of this chapter shall be torn down by the building inspector.

109. Remove waste. It shall be unlawful for any person, firm or corporation maintaining any sign board, bill board or other structure described in the foregoing section, to fail to keep the ground on both sides thereof clean and free from waste, filth and accumulation of every kind and nature.

110. Exception. Section 108 shall not be deemed to affect signs painted on or attached to buildings, or used by the occupant or owners of buildings to advertise the business of such occupants or owners.

111. Unlawful to injure advertisements. It shall be unlawful to wilfully tear, cut, remove, destroy, mutilate, deface or otherwise injure any poster, card or other advertisement lawfully posted or painted upon any sign board, bill board or other structure used for advertising purposes.

112. Height of fences limited. Exception. It shall be

unlawful for any person to erect or maintain, within the limits of Salt Lake City, any fence, wall or other similar structure at a greater height than seven feet, *provided*, that nothing in this section shall be deemed to affect or apply to existing stone, concrete, adobe or brick walls, to bill boards standing upon vacant ground, or to structures constructed principally of wire or wire netting; *and provided*, *further*, that fences enclosing public parks or amusement grounds, or yards used for the storage of lumber or coal may be erected or maintained at a height not greater than eight feet.

113. Notice. Removal. It is hereby made the duty of the building inspector to notify any person, firm or corporation who has heretofore erected or who is maintaining any fence, wall or other similar structure prohibited by section 112, to remove or to so alter the same as to bring it within the provisions of said section within twenty days after receiving such notice. If such person shall fail to comply with the terms of such notice, the building inspector shall cause such fence, wall or other similar structure to be removed, and the expense thereof shall be paid by such person, so notified.

114. High fences declared a nuisance. All fences, walls and other similar structures, the erection or maintenance of which is by this ordinance prohibited, are hereby declared to be a nuisance, unsafe and a menace to the community, and a hindrance to the proper performance by the fire department of said city of its duties.

115. Out-houses. It shall be unlawful for any person, to erect or maintain any water closet, out-house or privy within forty feet of the line of any street in Salt Lake City; *provided*, that this ordinance shall not apply to any water closet existing or to be hereafter erected or maintained in any dwelling, store, factory, shop or office building, where the same is or shall be properly constructed, with vent

pipes passing through the roof of the building, and connected with the sewer or cesspool.

116. Interference with inspector. It shall be unlawful for any person to interfere with, molest or hinder the inspector of buildings, his agents, servants or employees while in the discharge of official duties.

117. Penalty. Any person who either as principal, agent, clerk, employee or servant, violates, disobeys, omits, neglects or refuses to comply with the provisions of this chapter shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of not less than five dollars, and not more than one hundred dollars, and every omission or neglect of the thing commanded to be done, and every continuance of any act or thing prohibited by this chapter, for each day's omission, neglect or continuance, after notice, a separate offense shall be deemed to have been committed, and shall be punished accordingly.

CHAPTER IX.

CITY CEMETERY. SEXTON.

118. Appointment. Compensation. The mayor shall have power to appoint, during the term for which he is elected, subject to confirmation by the council, a competent person to the position of sexton of the city cemetery, who shall hold office until the Monday next succeeding the expiration of the term of office of the appointing power, and until his successor is appointed and qualified. The compensation of the sexton is hereby fixed at one thousand dollars per annum, which shall be in full for all services rendered the city, and which shall be paid monthly as are the salaries of other city officers.

119. Oath. Bond. The sexton shall, before assuming the duties of his office, take and subscribe the constitutional oath of office, and shall furnish a bond to the city in the sum of two thousand dollars.

120. Permits. The city sexton, before burying the body of any deceased person in the city cemetery, or before permitting the removal of the body of any person buried therein, shall require the production of a permit from the board of health. After burial or removal, the sexton shall endorse upon the permit the initial letter of the plat and the number of block and lot where said body is buried, or from which said body has been removed, and shall forthwith return such permit to the board of health.

121. Duties. It shall be the duty of the sexton to take charge of the city cemetery, and improve the grounds thereof, subject to the approval of the city council; to dig, or cause to be dug, all graves required for the burial of the dead therein, and keep a record of the same.

122. Sale of lots. Certificate. Price. The sexton is hereby empowered to sell lots in the City Cemetery, and to collect all dues arising from such sales; and all moneys so collected shall be by him covered into the city treasury as often as once a month. The city council committee on cemetery, subject to the approval of the city council, is hereby empowered to regulate according to location, the selling price of said lots. The size being sixteen and one-half feet square, the price of each of said lots shall not exceed one hundred dollars, and shall not be less than twelve dollars; *provided*, that any person who has heretofore, or who may hereafter purchase a lot, may pay to the sexton one hundred dollars in addition to the said purchase price, which payment shall be received and accepted by Salt Lake City as full compensation for the future perpetual care and maintenance of said lot; and Salt Lake City shall thereafter forever, at its own expense, care for, maintain and irrigate said lot. The sexton is authorized to sell a fractional part of any lot, in which case he shall collect from the purchaser the proper proportion of the selling price; and the purchaser may pay the proper proportion of the additional payment for perpetual maintenance under the same terms in this section heretofore described. The sexton shall give to each purchaser a certificate for each lot or part of lot, showing the description thereof, and stating the price the purchaser paid. He shall also give to each person making the payment for perpetual maintenance, a certificate showing the fact. He shall keep duplicates of all certificates issued by him as parts of the records of his office. All lots and parts of lots conveyed as in this section provided, together with all improvements thereon, shall be exempt from execution and from taxation, except for water. The payments mentioned in this section shall not be construed to be in payment for any of the services described in section 125.

123. Headboards and tombstones. Fences and grades. The owners of lots, or relatives of deceased persons buried in said cemetery, are hereby required to erect headboards, tomb-

stones or other suitable monuments at the heads of graves, with the name of the deceased plainly inscribed thereon; and if any person neglects or fails to erect such headboard, tombstone or other suitable monument for a period of three months from the date of burial, the sexton shall place a suitable headboard in proper position at the expense of the person owning or burying in said lot. No person shall erect a fence, corner posts or other boundary mark upon any lot or lots in said cemetery, nor grade the ground or land thereof, except under the direction of the sexton, who shall furnish the true lines of lots according to official survey, and shall prevent and prohibit any grading that would destroy the symmetry of the land.

124. Title. Permit. Disinterment. Contagious disease. It shall be unlawful for any person to bury the body of a deceased person in the city cemetery without first paying for and obtaining a certificate of purchase of the lot used, from the sexton, or if he does not own or purchase the lot, without furnishing a written permit from the owner thereof, which permit shall be filed with the sexton. It shall be unlawful for any person to disinter any body buried in said cemetery except under the direction of the sexton; and before disinterment, the sexton shall require a permit from the board of health and a written order from the owner of the lot authorizing such removal, which order he shall file and preserve, and all such removals shall be recorded by him in a book kept for that purpose. It shall be unlawful for any person to remove the body of a person who has died of a contagious disease within two years from the date of burial, except such body has been buried in an hermetically sealed coffin, and is found to be so encased.

125. Fees. The sexton is hereby authorized to collect from those requiring his services, the following fees, which shall be by him covered into the city treasury at least once a month:

For digging a grave four feet in length and four feet six inches deep	\$2.00
For digging a grave six feet six inches in length and five feet six inches deep	3.00
For all graves over six feet six inches in length	4.00
For disinterring bodies from graves four feet in length.	2.00
For disinterring bodies from a grave six feet six inches in length	4.00
For disinterring bodies from a grave over six feet six inches in length	5.00
For recording each burial or removal .....	.25
For each certificate of lot purchased .....	.50
For each certificate of payment for perpetual maintenance	.50
For sodding each lot	20.00

All sodding shall be done by the city under the direction of the sexton.

126. Injury to cemetery property prohibited. It shall be unlawful for any person to injure or deface any headstone, tombstone, monument, tree, shrub or any other property in the city cemetery.

127. Burials must be in cemeteries. Exception. It shall be unlawful for any person to bury the body of a deceased person within the limits of Salt Lake City, except in the burying grounds located therein, unless by permission of the city council; and there shall not be interred in any cemetery within the city limits the body of any person known to the law as a murderer.

128. Fast riding or driving in cemetery prohibited. It shall be unlawful for any person to ride or drive within the limits of the city cemetery faster than a walk.

129. Penalty. Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of not more than one hundred dollars, or by imprisonment in the city jail not more than one hundred days, or by both such fine and imprisonment.

CHAPTER X.

CITY COUNCIL.

130. **Members. Oath. Bond.** Each member of the city council shall, before assuming the duties of his office, take and subscribe the constitutional oath of office and file with the city recorder a bond to the city in the sum of five hundred dollars.

131. **Compensation.** Each member of the city council shall be paid an annual salary of six hundred dollars, payable monthly as are the salaries of other city officials; which shall be for all services rendered except that when the waterworks committee sits as a board of equalization of water rates, each member shall be paid three dollars for each day's attendance; and when the council sits as a board of canvassers of municipal elections each member shall be paid five dollars for each day's attendance.

132. **Meetings.** The stated meetings of the city council shall be held on Monday of each week, *provided*, that when any legal holiday occurs on Monday, the meeting shall be held on Tuesday next following. All meetings may be adjourned from time to time as business may require.

133. **Special meetings.** The mayor or any two members of the city council may call a special meeting of the city council by giving a notice of such special meeting to each of the members of the council served personally or left at his usual place of abode.

CHAPTER XI.

CITY CREEK CANYON.

134. Unlawful to catch fish or shoot birds. It shall be unlawful for any person to catch, or to attempt to catch any fish in City Creek, or to shoot, or attempt to shoot or otherwise destroy any bird or other game in City Creek Canyon.

135. Destruction of trees. It shall be unlawful for any person to cut down, injure, carry off, or remove in any manner, any wood or underwood, tree or timber, or branches of trees or shrubbery in City Creek Canyon.

136. Camping and befouling of water. It shall be unlawful for any person to camp on any land in City Creek Canyon, or to in any manner pollute or befoul the waters of said creek.

137. Penalty. Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of not more than one hundred dollars, or by imprisonment in the city jail not more than one hundred days, or by both such fine and imprisonment.

CHAPTER XII.

CLAIMS.

138. Requisites. Presentation. Time for allowance. All claims against the city for damages or injury alleged to have arisen from the defective, unsafe, dangerous or obstructed condition of any street, alley, crosswalk, sidewalk, culvert or bridge, or from the negligence of the city in respect thereto, shall within ninety days after the happening of such injury or damage, be presented to the city council in writing, signed by the claimant or some authorized person, and properly verified, describing the time, place, cause and extent of the damage or injury.

139. Other claims. All claims, other than those mentioned in the last preceding section, must be verified by the claimant or his authorized agent, before the city recorder or some other officer authorized to administer oaths, and presented to the city council within one year after the last item of the account or claim accrued.

CHAPTER XIII.

DOGS.

140. Registration. Annual tax. It shall be unlawful for any person to own or keep a dog within the limits of this city without making application to the city treasurer for that purpose, and paying to said treasurer for the benefit of the city, an annual tax of three dollars for a female dog and two dollars for a male dog. It shall be the duty of the treasurer to register the applicant's name and a description of the dog, and to give to the said applicant a certificate of registry.

141. Collars and numbers. It shall be the duty of the owners of all dogs so licensed to provide the said dogs with suitable collars with a metallic plate or check attached thereto, having a number corresponding with the certificate of registry inscribed thereon, and all dogs not so registered and collared as aforesaid shall be impounded, and the owners subjected to the same penalty as the owners of unregistered dogs.

142. Impounding. (See humane officer, sec. 304). It shall be the duty of the humane officer to take up and impound any dog, found running at large, without a collar around its neck with the metallic plate or check showing the payment of the current year's license attached thereto. Dogs impounded under the provisions of this section shall be well housed, fed and watered at the expense of Salt Lake City while so impounded.

143. Redemption. Fees. Any dog impounded as an unlicensed dog may be redeemed and taken from such pound by any person upon exhibiting to the humane officer a certificate of registry as provided in section 140, showing that the license in said section imposed, has been paid for such dog, and upon the payment to the humane officer of an impounding

fee of one dollar, and the further sum of twenty-five cents for each and every day such dog shall have been impounded.

144. Destruction. The humane officer shall cause all impounded dogs, not redeemed within five days, to be killed in the most humane manner possible.

145. Cruelty prohibited. It shall be unlawful for any person to maltreat or torture any dog or, having the right or authority to kill any dog, to kill such dog in any except an humane manner.

146. Female in heat, prohibited running at large. It shall be unlawful for the owner of any female dog to permit it to run at large while in heat, and such dog may be killed by any police officer.

147. Prohibited in places of worship. It shall be unlawful for the owner of any dog to permit the same to enter or be in any place of worship during public service.

148. Dangerous. It shall be unlawful for the owner or possessor of a fierce, dangerous or mischievous dog to permit the same to run at large.

149. Killing registered dogs prohibited. It shall be unlawful for any person to kill, or cause to be killed, any dog registered as herein provided, without the consent of the owner or possessor thereof, or to deprive a registered dog of its collar, or to place a registration tag on any dog not registered.

150. Penalty. Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than one hundred dollars, or by imprisonment in the city jail not more than one hundred days, or by both such fine and imprisonment.

CHAPTER XIV.

ENGINEER.

151. Appointment. Compensation. The mayor shall appoint, during the term for which he is elected, subject to confirmation by the council, a competent person to the position of city engineer, who shall hold office until the Monday next succeeding the expiration of the term of the appointing power, at a salary of twenty-four hundred dollars per annum, payable monthly as are the salaries of other city officers.

152. Oath. Bond. The city engineer shall, before assuming the duties of his office, take and subscribe the constitutional oath of office, and shall furnish a bond to the city in the sum of five thousand dollars.

153. Duty of city engineer. It shall be the duty of the city engineer to locate the lines and grades of all streets and sidewalks, alleys, avenues or other public ways, and to determine the position, size and construction of all sewers, waterworks, irrigation or drainage canals, reservoirs, culverts, aqueducts, bridges, viaducts, or other public work or appurtenances, and to prepare plans, maps or profiles of the same, and to make estimates and furnish specifications for any of said work, whenever required to do so by the mayor or city council. He shall have general supervision of all contract or other work, and see that it is performed in a workmanlike manner, and in accordance with the authorized plans and in conformity with the terms of the contract and specifications.

154. Field notes, maps and profiles. The city engineer shall keep in his office certified copies of all the field notes, maps or profiles which relate to city surveys, waterworks, sewers, irrigation system, streets or sidewalks, and all other engineering works, and he shall arrange and index them in

such manner as will enable a ready reference thereto, and all shall be the property of Salt Lake City.

155. Street lines. It shall be unlawful for any person to erect or construct, or to commence the erection or construction of any building, fence or other structure, or to make any excavation upon the line of any street, alley or other public way without first making application to, and obtaining from the city engineer a survey of such premises showing the property lines upon which such building, fence or other structure is to be constructed, or such excavation to be made.

156. Street grades. Establishing. Whenever it shall be deemed advisable to establish a grade on any street where no grade has been theretofore established, or to change any established grade, the city engineer shall cause the necessary survey to be made and prepare and submit to the council a profile map of such proposed grade with his recommendations concerning the same. When any such profile map shall have been approved and adopted by a majority of the city council as a correct map of the grade on such street, the action of the council shall be endorsed on said map by the city recorder and said map shall be then filed in the office of the city engineer and the grade on any such street shall thereafter be considered as established as shown on such profile map. It shall be unlawful for any person to erect or construct, or to commence the erection or construction of any building or other structure upon the line of any street where the grade of said street has already been established, without first making application to the city engineer to indicate the grade of the street upon which said building or other structure is to be erected, or to thereafter build to any grade other than that indicated by the engineer.

157. Fees. The city engineer shall be allowed to charge, and demand in advance, for the benefit of the city, the following fees from the owners of property ordering work to be done by the city engineer's office, or against whom work done in said office is properly chargeable :

In all additions that have been officially re-surveyed, or in any additions where the surveys are found to agree substantially with the recorded plat thereof.

For locating the four corners of a rectangular, or nearly rectangular lot of any size	\$7.50
For locating one line of a lot of any size	5.50
For each additional point on same line .....	.50
For each additional course necessary to be run in surveying or subdividing a lot, or in surveying a lot of irregular shape.....	1.00
For locating the street line in front of a lot of any size...	2.00
For locating the street line in front of a corner lot of any size.	3.00
For each additional point on same line .....	.50

Provided, whenever any abutting property owner has constructed any permanent improvement upon the established street line the amount paid for locating said line shall be refunded to him.

For each survey certificate not less than one dollar and not exceeding ten dollars, the exact amount to be fixed by the engineer in accordance with the nature and amount of work to be done.

For establishing building or sidewalk grades for a frontage of twenty-five feet or less	\$7.00
For establishing building or sidewalk grades for each additional twenty-five feet or part thereof, on the same block .....	.50
For establishing curb grades for a frontage of twenty-five feet or less	5.00
For establishing curb grades for each additional twenty-five feet, or part thereof .....	.25

Provided, that when property owners have constructed permanent sidewalks or curbs satisfactory to the city engineer, but not as a part of a sidewalk extension, no charge shall be made for establishing the grades therefor. |

For establishing grades for drains, ditches, etc., or for doing any other surveying work not provided for herein, an amount estimated by the city engineer to cover actual cost;

any excess over actual cost shall be refunded to the party ordering the survey after the work shall have been done, and the actual cost ascertained.

158. **Same.** In all parts of the city over which the official survey has not been extended, and where the surveys are not found to agree substantially with the recorded plats thereof, the city engineer shall, for all surveys in such districts charge, and collect in advance, a sum estimated to cover the actual cost or expense thereof, and upon ascertaining such cost or expense, any excess thereof shall be refunded to the applicant; and in case of surveys in such districts where lines cannot be satisfactorily determined to agree with the recorded plat, the city engineer may refuse to give any certificate of survey.

159. **Test of additions.** The city engineer shall from time to time make a test of the additions to the city, theretofore filed and recorded without a proper survey, or where the survey was so badly executed that great inaccuracy exists in respect to the lines of streets and alleys, and where there has been no official survey made by the city of the entire addition; and until a proper re-survey of such addition is made by the owners thereof, and the lines of the streets and alleys accurately determined by the engineer to agree with the recorded plat thereof, he may refuse to give any certificate of survey in connection therewith.

160. **Filing plats.** Any person desiring to plat or subdivide any land within the corporate limits shall present to the city engineer two accurate maps or plats thereof upon tracing cloth, particularly setting forth and describing all streets and other public places and all blocks, lots and parcels of land therein by number or name with their exact dimensions; said maps or plats shall be properly acknowledged by the dedicator and certified by the surveyor making the same, and must be accompanied by an abstract of title to the land platted, and the necessary fees, including the fees necessary to record one of such maps or plats in the office of the county recorder.

161. Same. If such maps or plats shall meet the approval of the engineer, he shall submit a report thereon to the city council, and when the council has, in turn, approved such maps or plats and accepted the dedications therein contained, the engineer shall file one copy in his office and record the other in the office of the county recorder.

162. Same. Street names. When any new subdivision contains any street which is a continuation or approximate continuation of any existing street, such new street shall take the name of such existing street. No new street, not a continuation of an existing street, shall be given the name of any existing street. The engineer shall have power to change the name of any street on any map or plat submitted, to make such map or plat conform to the provisions of this section.

163. Re-surveys of additions. The city engineer shall, from time to time as promptly as may be with the force at his disposal, proceed with re-surveys of additions as ordered by the city council.

164. Approval of maps and plats. All such maps and plats of land situated outside of the limits of the city survey shall be located with reference to the section corner.

165. Standard of measure. The three stone monuments set in Liberty Park and provided with a scale or vernier to mark the exact lengths for instruments of 100 and 400 feet, respectively, and to indicate the tension and degree of temperature employed, are hereby declared to be the means of fixing and perpetuating the official standard of measure in this city. The initial monument of the said group being located at a point 1257 7-10 feet south and 230 7-10 feet west from the stone monument at the intersection of Seventh East and Ninth South streets, and the two other monuments being in line with and at a distance of 100 and 400 feet, respectively, west from the initial monument.

166. Instruments. How adjusted. All persons who

shall hereafter use any measuring instrument for making any survey or measurement to establish the boundary lines of any street, lot or other parcel of land, within the corporate limits, shall first test or compare and adjust the same to correspond with the official standard, as indicated by the above described monuments.

167. Instruments to be adjusted. It shall be unlawful for any person to refuse or neglect to first compare and adjust the measuring instruments to be used by him, with the official standards as hereinbefore designated, before making surveys, for any purpose, within the limits of Salt Lake City.

168. Custodian of monuments. The city engineer is the custodian of the monuments described in Section 165. He shall keep the said monuments in perfect condition and properly protected, and allow them to be used by proper persons at all reasonable times.

169. Protection of monuments. It shall be unlawful for any person to displace, remove, injure, or in any way interfere with, or place obstructions upon any survey stake or monument marked as such.

170. Interfering with engineer prohibited. It shall be unlawful for any person to interrupt or molest the city engineer or any of his assistants, agents or employees while engaged in official duty, or to wilfully cause or offer to said engineer or any of his assistants or employees any kind of corporal injury or hindrance.

171. Penalty. Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than one hundred dollars, or by imprisonment in the city jail not more than one hundred days, or by both such fine and imprisonment.

CHAPTER XV.

ESTRAY POUND.

172. Poundkeeper. Appointment. Compensation.

The mayor shall have the power to appoint, during the term for which he is elected, subject to confirmation by the council, a competent person to the position of poundkeeper, who shall hold office until the Monday next succeeding the expiration of the term of office of the appointing power, and until his successor is appointed and qualified. The salary of the poundkeeper is hereby fixed at six hundred dollars per annum, which shall be in full for all services rendered the city, and shall be paid monthly as are the salaries of other city officers.

173. Oath. Bond. The poundkeeper shall, before assuming the duties of his office, take and subscribe the constitutional oath of office, and furnish a bond to the city in the sum of five hundred dollars.

174. Pound. The city shall furnish suitable premises to be used as the city pound, and it shall be the duty of the city poundkeeper to take charge of the premises which shall be designated as the city pound, and keep said premises in a clean and orderly condition. It shall be his duty to receive and take care of all animals committed to his charge, and provide all necessary forage therefor. He shall properly and with diligence make every effort to find the owners of all animals received by him, by examining the records, marks and brands and otherwise, and notify the owner if found.

175. Books. He shall keep a full, complete and accurate set of books, which shall set forth in detail all business done in connection with the city pound.

176. Register. He shall register in his books all animals delivered to him for commitment, which registration shall set

forth when received, from whom, where from, amount of damage done, kind of animal, approximate age, color, mark, brand, and such other description as may aid the owner to identify his animal, a true copy of which shall be posted forthwith on the outside of the entrance to said pound.

177. Bills of damage. He shall receive and file all bills of damage duly presented, and enter the amounts in his books, which shall be open to the inspection of the public. He shall not deliver any animal to the owner until all costs and damages are paid or satisfactorily arranged for.

178. Advertisement. He shall, when animals remain unclaimed in the city pound for the space of three days from the time of commitment, advertise said animals for sale in some daily newspaper having a general circulation, and published in Salt Lake City, in at least three successive issues; said advertisement shall be substantially in the following form:

“Notice of City Poundkeeper’s Sale.”

“Notice is hereby given to the owner or owners of the animals hereinafter described, and to whomsoever it may concern: That there are impounded at the present time in the city pound the following described animals:

“Kind of animal and number

“Full description by color, age, marks, brands, etc.....

“Damages appraised

“Cost of impounding and expense of sale and advertising

“Amount required to redeem

“If said animal or animals are not claimed, and all amounts due thereon paid, and said animal or animals taken away within ten days from the date of the first publication of this notice, they will be sold by the city poundkeeper at public sale at _____, in this city, at the hour of _____, to the highest bidder. Date of first publication.” (Insert date)

City Poundkeeper.”

179. Sale. Unless said animal or animals are claimed by the owner or his agent, and ownership proved, and all costs and damages paid on or before the day and hour named for the sale, the poundkeeper must sell such animal or animals to the highest bidder for cash, at the place and day and hour set, *provided*, that in no case shall a sale be made for less than the damages and costs of detention and expense of sale. And in the event of no bids being made for any animal or animals, they shall be bid in by the poundkeeper for, and sold to the city, for the amount of damages and costs accruing against said animal or animals.

180. Proceeds of sale. The net proceeds of the sale of all animals, as herein provided, shall be paid into the city treasury, subject to the order of the owners of said animals, if applied for within six months from the date of sale; if not applied for within that time, the city treasurer shall cover the amount into the general fund.

181. Advertising bills. All bills for advertising shall be certified to by the poundkeeper and, if correct, shall be ordered paid by the city council.

182. Forage. The poundkeeper shall have power to purchase all necessary forage or feed, for impounded animals, on the credit of Salt Lake City, and shall certify to all accounts therefor, which upon presentation to the city council, if correct, shall be ordered paid.

183. Animals at large. No cattle, horses, mules, sheep, goats or swine shall be allowed to run at large, or be herded, picketed, or staked out upon any street, sidewalk or any other public place within the limits of the city, and all such animals so found may be taken up and driven to the estray pound; *provided*, that nothing herein contained shall be so construed as to prevent any person from driving milch cows, work cattle, horses, mules or other animals from outside the city limits to any inclosure within the city limits, or from any inclosure in the city to a place outside the city, or from one inclosure to another within the limits of the city.

184. Damages and appraisement. All damages done by any animal trespassing shall, upon request of the person damaged, be forthwith appraised by any disinterested person, who may make a reasonable charge for such service, and shall set forth in such appraisal in writing, the time and place of damage, the amount of damages, together with his charges, the name of the owner of the animal, if known, the name of the person so damaged, also the kind and description of the animal, which appraisal, if not paid or satisfactorily arranged for by the owner, or if the owner be not found, shall together with the animal, be delivered to the city poundkeeper; *provided*, that if the owner deem the appraisal too high, said owner may choose another appraiser, who, with the first, may make a new appraisal; or when they cannot agree, they two may choose a third, and the three may proceed to make a final appraisal.

185. Rights of private persons. Any animal found doing damage may be taken up by any person, and if the owner cannot be found, or if found shall refuse to pay all costs and damage occasioned by said animal, it may be taken forthwith to the city pound and delivered to the keeper thereof, and may be held and sold as provided in Sections 178, 179 and 180 unless previously redeemed.

186. Detention of animals. It shall be unlawful for any person other than the city poundkeeper to take up an animal, under the provisions of this chapter, and retain it more than eighteen hours.

187. Interference with poundkeeper. It shall be unlawful for any person to take his own animal or that of any other person out of the custody of a person holding the same for damages done by it, or out of the city pound by stealth, by fraud or by force; and it shall be unlawful for any person to interrupt or hinder anyone while in the discharge of his duty, under the provisions of this chapter.

188. Malicious impounding. It shall be unlawful for any person to maliciously or mischievously secrete or im-

pound the animal of another, or to maliciously or mischievously aid or abet therein.

189. Fees. The poundkeeper, for impounding and posting up notices, shall collect and cover into the city treasury, fees for his services as follows: One dollar per head for horses, mules or cattle, and twenty-five cents per head for calves, goats, sheep and swine; for feeding animals fifty cents per day for horses, mules and cattle, and twenty-five cents per day for calves, goats, sheep and swine. Fees for advertising and sale shall be one dollar each for horses, mules and cattle, and fifty cents each for goats, sheep, calves and swine.

190. Monthly statement. It shall be the duty of the city poundkeeper to make monthly, a sworn statement of the business transacted by him in connection with the city pound, showing in detail all animals received, sold, advertised or handled by him, together with a detailed statement under oath of all moneys expended and received by him.

191. Pay over money. It shall be the duty of the city poundkeeper to turn into the city treasury on or before the fifth day of each month all net proceeds in money received by him in virtue of said office, during the preceding month.

192. Penalty. Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than one hundred dollars, or by imprisonment in the city jail not more than one hundred days, or by both such fine and imprisonment.

CHAPTER XVI.

EXPLOSIVES AND COMBUSTIBLES.

193. **Erection of magazines.** It shall be unlawful for any person to erect or maintain any magazine, for the storage of explosives within the corporate limits, without first making application to the city council, and receiving a permit so to do.

194. **Location of magazines.** A portion of the east half of the northeast quarter, and a portion of the east half of the southeast quarter of section 14, township 1 north, range 1 west, lying northeast of the Hot Springs, is hereby designated as a location where magazines, to be built of stone, adobe, or brick, may be erected, for the storage of explosive powder, under such regulations as are hereinafter provided. Application for the privilege of building magazines on said ground must be made in writing to the city council. Nothing herein shall be so construed as to prevent the city council from changing the place of location of such magazines, or of designating other places for such magazines, or as granting any interest to any party in the lands above described.

195. **Removal.** The city council may at any time order the removal of any such magazine, and it shall be unlawful for any person having control of any such magazine, to refuse, for a period of thirty days, to comply with any such order of removal.

196. **Permit to sell explosives.** It shall be unlawful for any person to keep, sell, give away or otherwise dispose of any gunpowder, giant or hercules powder, nitro-glycerine or dynamite in any quantity, within the limits of Salt Lake City without first making written application for, and receiving a permit from the city council so to do. *Provided*, that any person may keep, in a canister or flask, for his own use, not to exceed six and one-quarter pounds of gunpowder. The applica-

tion shall be signed by the applicant, and designate the place where he desires to sell explosives. All permits to sell explosives shall be certified by the recorder, and shall show to whom granted, and the place where explosives are permitted to be sold. The recorder shall keep a record of all such permits issued. The city council may, at any time, revoke any permit issued under the provisions of this section.

197. Gunpowder in stores. It shall be unlawful for any person within the city limits, to keep about his place of business to exceed one hundred pounds of gunpowder, and the amount so kept shall be stored in canisters and placed in a vault of construction approved by the chief of the fire department, and located at an accessible point not nearer than twenty feet to any other building, and it shall be unlawful to sell or weigh gunpowder by gas, lamp, or candle light.

198. High explosives not to be kept in stores. It shall be unlawful for any person to store or keep giant or hercules powder, nitro-glycerine or dynamite at any place within the limits of Salt Lake City, other than in a powder magazine; *provided*, that a sample of giant or hercules powder, not to exceed one pound of each, may be kept at the place of business of any person holding a permit as provided for the storage of gunpowder in section 197.

199. Giant or hercules powder caps. Manner of keeping. It shall be unlawful for any person to keep or store giant or hercules powder caps, or caps used to explode giant or hercules powder, unless they be in cases, kept separate from any kind of explosive powder; if kept in a powder magazine, they shall be in a separate vault or safe; if kept at a place of business, they shall be in a vault or safe separate and removed from all other explosives, as provided for the storage of gunpowder in section 197.

200. Storage of petroleum. It shall be unlawful for any person to store, permit the storage of, or keep for sale, in any one building, a larger quantity than twenty gallons of crude

petroleum, gasoline, or any product of petroleum, or any hydro-carbon liquids, without the permission of the city council, and unless the same be kept in iron tanks, and stored in a building or warehouse specially designated and licensed for such storage. Quantities of twenty gallons or less, when kept in storage, shall be kept in metal cans.

201. Petroleum. How kept. Quantity. It shall be unlawful for any person to store, or keep for sale, in any one building, any refined product of petroleum in a larger quantity than one thousand gallons, without the permission of the city council, and unless such product be always kept in metal cans and be stored in a building or warehouse designed and licensed for the storage of such substances; *provided*, that all buildings used for the storage of any refined products of petroleum, in quantity more than one hundred gallons and less than one thousand gallons, shall be so constructed as to be deemed fireproof, and a certificate thereof shall be obtained from the building inspector before any permit shall be granted, which certificate shall be filed in the office of the city recorder. Said permit shall specify the room in such building where such products of petroleum may be kept or stored, and the name of the person to whom the permit is granted. Such permit may be revoked by the council at any time.

202. Buildings for storage of oils. No building or warehouse shall be licensed for the storage of unlimited quantities of oil or other inflammable substances, as contemplated in this chapter, except upon the recommendation of the building inspector, and the chief of the fire department, as being suitable therefor; and said building or warehouse shall be located at such place as may be approved by the city council. The person making application for such license shall, as soon as the same is granted by the city council, pay into the city treasury the sum of fifty dollars yearly in advance; *provided*, that no such warehouse or building shall be used for the storage of crude petroleum, gasoline or other products of petroleum which shall flash or emit inflammable vapor at a temperature

below 110 degrees Fahrenheit, unless such warehouse or building shall be specially recommended to and accepted by the city council for such storage, and shall have prominently painted externally on the front thereof, in plain Roman letters, at least five inches in length, the words: "Licensed for the storage of gasoline."

203. Adulterating oils. It shall be unlawful for any person to mix or adulterate any oil used for illuminating purposes with benzine, naphtha, gasoline or any other substance; or to offer for sale any illuminating oil so mixed or adulterated; and all oils or fluids manufactured from petroleum or its products, to be used for illuminating purposes, shall be required to stand a fire test of 110 degrees Fahrenheit before they flash or emit an inflammable vapor.

204. Manufacture of explosive chemicals. It shall be unlawful for any person to manufacture acids, or any combustible or explosive chemicals, or boil or refine oils, or maintain, erect, or cause to be erected any works for the manufacture of acids or explosive chemicals, or for the boiling or refining of oils, within forty rods of any dwelling house or place of business.

205. Storage of explosive substances. It shall be unlawful for any person to receive, keep, store or suffer to remain in any place within the limits of Salt Lake City, any explosive substance, having an explosive power greater than that of ordinary gunpowder. *

206. Place of storage for explosives. When to be open. It shall be unlawful for any person to open, permit or cause to be opened the place wherein the articles described in Sections 194, 196, 197, 198, 199 and 200 of this chapter are kept or stored, before sunrise or after sunset on any day; or to carry, or permit or cause to be carried into or to be kept in such places, any fire or light at any time.

207. Kindling fires with combustible fluids prohibited.

It shall be unlawful for any person to use coal oil or other combustible fluid for the purpose of kindling fires, or to pour coal oil or other combustible fluid from one vessel to another at any time, except during the hours of daylight.

208. Prohibiting the carrying of fire except in covered vessels. It shall be unlawful for any person to carry or permit or cause to be carried in any house, street or lot, any burning coals or brands of fire, unless such coals or brands be in a covered vessel.

209. Prohibiting the discharge of fireworks without permission. It shall be unlawful for any person within the limits of Salt Lake City, to discharge or set off any rocket, squib, firecracker or other fireworks, without first obtaining the permission of the mayor; which permission shall be in writing and shall specify the time when and the place where such fireworks may be discharged or set off.

210. Chimneys to be cleaned. It shall be the duty of the owner or occupant of every house, shop or other building, to cause the flues and chimneys thereof to be cleaned as often as may be deemed necessary by the building inspector. It shall be unlawful for any person to permit the flues of any house, shop or other building occupied or owned by him, or of which he has control, to become foul and take fire, or be fired.

211. Unlawful to store combustibles. It shall be unlawful for any person to keep, store, pile or maintain, or to permit upon any premises owned or occupied by him or under his control, any inflammable or combustible material, such as hay, straw, shavings, rags, wool, lumber, boxes, barrels or other substances, in such manner as to endanger the safety of any building or structure within said fire limits.

212. No haystack within sixty feet. It shall be unlawful for any person to stack or pile any hay or straw, without having the same enclosed and protected from flying sparks of fire,

within sixty feet of any building in which fire is kept, situated within that part of Salt Lake City bounded as follows:

Commencing on Ninth West Street and Ninth North Street, thence easterly along Ninth North Street to where it intersects the northern line of the city, thence along said northern line to Thirteenth East Street, thence south along said Thirteenth East Street to the south boundary of the city, thence west along said south boundary to Fifth East Street, thence north along said Fifth East Street to Ninth South Street, thence west along said Ninth South Street to First East Street, thence south along First East Street to Tenth South Street, thence west along said Tenth South Street to Third West Street, thence north along Third West Street to Ninth South Street, thence west along said Ninth South Street to Ninth West Street, thence north along said Ninth West Street to the place of beginning.

213. Movable light near hay prohibited. It shall be unlawful for any person to use any lighted candle or movable light in any place containing hay, straw or other combustible matter, except such light be kept safely enclosed in a lantern or other suitable covering.

214. Prohibiting the smoking of meat, or the boiling of pitch, tar, rosin, turpentine or varnish within the fire limits, except in fireproof buildings. It shall be unlawful for any person, within the fire limits of Salt Lake City, to smoke meat, boil pitch, tar, rosin, turpentine or varnish in any room or place unless such place is fireproof, and so certified by the inspector of buildings before being used for such purpose.

215. Burning of hay, straw, leaves and rubbish prohibited. It shall be unlawful for any person to burn, in the open air, within the fire limits of Salt Lake City, any hay, straw, leaves, rubbish or other substance.

216. Applications for licenses and permits. All applications for licenses or permits required by the provisions of this chapter, except the permit to discharge fireworks, shall be made in writing and addressed to the city council.

217. **Penalty.** Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than one hundred dollars, or by imprisonment in the city jail not more than one hundred days, or by both such fine and imprisonment.

CHAPTER XVII.

FEES.

218. **Officers.** All elective and appointive officers shall be strictly accountable for all fees and moneys collected by or paid to them or to any deputy, assistant or employee in their respective departments.

219. **Paid into treasury. Statement.** The head of each department, where fees and moneys are or shall be collected shall, on or before the fifth day of each and every month, cover into the city treasury, all fees and moneys collected by his department during the preceding month. He shall also prepare in duplicate a complete itemized statement showing from what sources such fees or moneys were derived, and file one copy with the city treasurer and one with the city auditor.

220. **Offense.** It shall be unlawful for any person, being an officer or employee of Salt Lake City, to neglect or refuse to comply with the provisions of this chapter.

221. **Penalty.** Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of not more than one hundred dollars, or by imprisonment in the city jail not more than one hundred days, or by both such fine and imprisonment.

CHAPTER XVIII.

FIRE DEPARTMENT.

222. **Fire department. Organization.** The fire department of Salt Lake City shall consist of the following officers and firemen:

- One chief of department,
- One assistant chief of department,
- Six captains,
- Three lieutenants,
- Three engineers,
- One city electrician,
- One secretary and operator,
- Twenty-five firemen.

223. **Chief. Appointment.** The mayor shall have the power to appoint, whenever a vacancy occurs, subject to confirmation by the council, a competent person to the position of chief of the fire department, who shall also be inspector of street lighting.

224. **Oath. Bond.** The chief of the fire department shall, before assuming the duties of his office, take and subscribe the constitutional oath of office, and give a bond to the city in the sum of five thousand dollars.

225. **Qualifications of members.** Every person who shall be appointed a member of the fire department must, at the time of his appointment, be an able-bodied man and be able to converse understandingly in the English language, and possess such other qualifications and pass such examinations, as may be required by rules prescribed by the chief of the department, and approved by the city council.

226. **Duties and powers of the chief.** The duty of extinguishing fires and of protecting life and property, within

the city, shall be entrusted to the chief of the department. He may divide the city into fire districts, and make such rules and regulations, subject to the approval of the city council, for the government of all officers and members of the department, as he may deem expedient. He shall make suitable regulations, under which the officers and men of said department shall be required to wear an appropriate uniform and badge, by which, in case of fire, and at other times, their authority and position in the fire department may be known. Under the direction and with the approval of the mayor and city council, he may purchase horses, steam engines, extinguishers, hose, carriages, hook and ladder trucks, and all other apparatus and supplies necessary for the complete equipment of the fire department. The chief shall have sole and entire command over all officers, members and employees of the department, and all apparatus and appurtenances belonging to the same, and he shall take any measures which he shall deem expedient for the extinguishment of fires, protection of property, preservation of order and observance of the laws of the state, ordinances of the city, and rules and regulations of the city council. It shall be the duty of the chief of the department to examine into the condition of all houses, apparatus and appurtenances belonging to the department, to inspect engines, hose and hook and ladder companies. It shall also be the duty of the chief of the department to inspect street lights, and to ascertain the quality and number of street lamps used and giving service. He shall examine and approve all statements and bills for street lighting, making proper reductions for any lack of service which may have occurred. And he shall generally observe whether or not contractors are complying with the terms of their contracts for street lighting.

227. **When property may be torn down.** When a fire is in progress, the chief of the department, or, in his absence, the officer in command, may (with the advice of the mayor of the city, or in case the mayor is not present, and in his judgment he may deem it necessary) order any telegraph, telephone, electric light or street railway wire, or pole, of either,

in close proximity thereto, to be cut, torn down or otherwise disposed of; and may also order any building or buildings in close proximity thereto to be torn down, blown up, or otherwise disposed of, for the purpose of checking the conflagration; but neither the chief of the department nor any other officer or member of the fire department shall unnecessarily or recklessly destroy or injure any building or other property.

228. Blockade. Whenever a fire shall occur, it shall be lawful for the chief, or the officer in command, to blockade any street, avenue, alley, sidewalk or other place, if in his judgment it is necessary to insure the efficient working of the men, hose, engines, or hook and ladder apparatus under his command, and to protect the hose of said department from injury. He is hereby authorized to request of the chief of police or other officer in charge of the police station, a detail of policemen sufficient in his judgment therefor, who, for the time being, shall act under the instructions of said chief of the fire department or officer in command. It shall be unlawful for any person to break through or attempt to break through the blockade mentioned in this section, or at any time to run over or attempt to run over the hose of the fire department with an omnibus, wagon, street car, railroad car, locomotive, tender, or any cart, dray, buggy, carriage, hack, hackney coach, or other kind of vehicle.

229. Right of way. All steam engines, hose carts, hook and ladder wagons and other movable apparatus of the fire department shall have right of way over all other vehicles while passing through all streets, avenues and alleys, when answering an alarm of fire. When any fire engine, hose cart, truck or other fire apparatus, while going to a fire, or answering an alarm of fire, shall come up with or close to a car upon any street railroad track, it shall be the duty of the driver of every such car, or person in charge thereof, to cause such car to come to a full stop, and so remain until such fire engine, hose cart, truck or other fire apparatus has fully

passed, or has come to a full stop. It shall be unlawful for any person driving or having charge of any vehicle or animal to wilfully or carelessly permit the same to obstruct, impede or otherwise interfere with the progress or working of any such steam engine, hose cart, hook and ladder wagon or other apparatus of such department, while the same is going to or remaining at a fire.

230. Injuring property of fire department prohibited.

It shall be unlawful for any person to wilfully cut, mark or otherwise deface or injure any engine house, hose, engine or other apparatus of the fire department.

231. Firemen detailed at places of amusement.

The chief of the fire department shall have the power to assign to duty one or more firemen upon the stage of any theatre, public hall, lecture room, or other place where large audiences are assembled; such firemen on duty shall have the power to prohibit smoking, careless handling of torches, red fire, electric light apparatus, gas jets, or any combustible material; it shall further be the duty of such firemen to prohibit the storage of scenery, stage furniture, baggage or other properties in such manner as will interfere with the apparatus used for the extinguishment of fires. It shall be the duty of the owner, agent, occupant or lessee of all theatres to admit members of the fire department through the stage entrance of such theatres when assigned to duty by the chief of the fire department. It shall be the duty of the chief of the fire department, subject to the approval of the city council, to make such rules as may be necessary for the successful handling of fires and fire apparatus in theatres and other places of amusement. He may also, subject to the approval of the city council, require the owners, agents, lessees or occupants of such theatres to provide such apparatus as may be designated, to be placed at specified points in such theatres and other places of amusement. Such rules and regulations shall be printed and posted in at least two conspicuous places upon the stage, and it shall be unlawful for any person to deface or remove the same.

232. Electric fire alarm boxes. It shall be unlawful for any person to break, destroy or in any manner interfere with any electrical fire alarm box, fire alarm register box, or any wire, pole or apparatus connected therewith, or to send any false alarm from, through or over such box or apparatus.

233. Record to be kept. The chief, or, in his absence, his assistant in charge of any fire, shall, after it is extinguished, make a prompt and thorough investigation of the cause of the fire, the amount of loss and insurance, time of breaking out, description of building, and all other necessary particulars, and record the same in a record book kept for that purpose in the office of the department.

234. Chief to appoint subordinates. The chief of the fire department shall, by and with the advice and consent of the council and approval of the mayor, appoint all subordinate officers, employees, men or agents in his department, and in like manner fill all vacancies in the same. Any subordinate officer, employee, man or agent may at any time be removed without cause, and without charges being preferred, and without a trial, hearing or opportunity to be heard, by the chief of the department, with the consent of the council, or by the mayor, with the consent of the city council, whenever, in their opinion, the good of the service will be subserved thereby, and the same shall be final and conclusive, and shall not be reversed or called in question before any court. The city recorder shall forthwith notify in writing the removed person of the removal, and it shall not be necessary to state any cause for such removal, and from the time of the notification, the person so removed, shall not in any case be entitled to any salary or compensation whatsoever.

235. Removal of chief without cause. The chief of the fire department may at any time be removed without cause, and without charges being preferred, and without a trial, hearing or opportunity to be heard, by the mayor, with the consent of the city council, whenever, in his opinion, the

good of the service will be subserved thereby. The action of the mayor and of the city council in removing the chief of the department shall be final and conclusive, and shall not be reviewed or called in question before any court. The city recorder shall forthwith notify in writing the removed chief, of his removal, and it shall not be necessary to state any cause for such removal, and from the time of such notification the person so removed shall not in any case be entitled to any salary or compensation whatsoever.

236. Suspension of subordinates. The chief of the department may at any time suspend any subordinate officer, employee, man or agent employed therein, when, in his judgment, the good of the service demands it, for a period of time not exceeding fifteen days, and during the time of such suspension the persons so suspended shall not be entitled to any salary or compensation whatsoever. Whenever the chief of the department shall suspend any subordinate officer, fireman or member of the department, he shall report the same immediately to the city council.

237. Fire limits. The following are hereby established as the fire limits of Salt Lake City, to-wit:

Commencing at the northwest corner of Third East and Fifth South Streets; thence running west along the north side of Fifth South Street to the east side of Second West Street; thence north along the east side of Second West Street to the south side of North Temple Street; thence east along the south side of North Temple Street to the west side of State Street; thence south along the west side of State Street to the south side of South Temple Street; thence east along the south side of South Temple Street to the west side of Third East Street; thence south along the west side of Third East Street to the north side of Fifth South Street, the place of beginning; the said fire limits including all of blocks 37 to 42, both inclusive; 49 to 60, both inclusive; all of blocks 67 to 78, both inclusive, and all of blocks 85 to 88, both inclusive, all in plat "A."

238. **Salaries.** The salaries and compensation of the officers and members of the fire department shall be paid monthly as are the salaries of other city officers and shall be as follows:

Chief of department, per annum	\$2100.00
Assistant chief, per annum	1440.00
Captains, each, per annum	1140.00
Lieutenants, each, per annum	1080.00
Engineers, each, per annum	1080.00
City electrician and superintendent fire and police alarm, per annum	1200.00
Secretary and operator, per annum	1080.00
Firemen during the first three months, each, per month	65.00
Firemen during the second three months, each, per month	70.00
Firemen during the third three months, each, per month	75.00
Firemen during the fourth three months, each, per month	80.00
Firemen after one year, each, per month	85.00

Provided, that any person who shall have satisfactorily served at least one year in the department, at any time within three years prior to his re-employment therein, shall commence at \$75.00 per month, with an advance of five dollars per month for each three months' service until the maximum of \$85.00 is reached.

239. **Penalty.** Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than one hundred dollars, or by imprisonment in the city jail not more than one hundred days, or, by both such fine and imprisonment.

CHAPTER XIX.

FOOD AND DRINK.

240. Inspector of provisions. Appointment. Compensation. The mayor shall have the power to appoint, during the term for which he is elected, subject to confirmation by the city council, a competent person to the office of inspector of provisions, who shall hold office until the Monday next succeeding the expiration of the term of office of the appointing power, and until his successor is appointed and qualified. The compensation of the inspector of provisions is hereby fixed at nine hundred dollars per annum, payable monthly as are the salaries of other city officers.

241. Oath. Bond. The inspector of provisions shall, before assuming the duties of his office, take and subscribe the constitutional oath of office, and furnish a bond to the city in the sum of one thousand dollars.

242. Duties. The inspector of provisions shall perform all of the duties usually and ordinarily required of such an official, including the inspection of dairies, slaughter-houses and all other places where food products are produced or manufactured; and he shall inspect any article of milk, butter, cheese, meat, fish, vegetables, fruit, lard, syrup, coffee, tea, flour, meal or any other article of food or drink made or offered, exposed or kept for sale within the corporate limits of Salt Lake City, wherever the same may be kept or stored, which he may suspect or have reason to believe is unfit for use, impure, unhealthy, adulterated or counterfeit. He shall perform such other duties as are or may be prescribed or contemplated by ordinance, and he shall obey all orders and resolutions of the board of health and the health commissioner in relation to the inspection of provisions and all other matters pertaining to the health department of the city.

243. Powers. The inspector of provisions shall have power, in the performance of his official duties, to take samples for analysis, and to seize, condemn and destroy any article of food or drink which upon inspection or analysis he may find to be unfit for use, impure, unhealthy, adulterated or counterfeit.

244. Sale of unwholesome food prohibited. It shall be unlawful for any person to bring, or cause to be brought within the limits of Salt Lake City, or to offer or to hold for sale in any private or public market, any article intended for human consumption except such as is healthy, fresh, sound, wholesome and safe for human food, nor any meat, fowl or fish that died by disease or accident.

245. Unwholesome food or drink. It shall be unlawful for the manager or keeper of any hotel, restaurant, saloon, boardinghouse or other public place where food or drink is sold, or for any clerk, agent or servant therein to offer or keep for food or drink, or to be eaten or drunk, any deleterious or unwholesome substance.

246. Sale of calf, pig or lamb under certain age prohibited. It shall be unlawful for any person to bring, or cause to be brought within the limits of Salt Lake City, or to offer or hold for sale as food within said city, any calf, pig or lamb or the meat thereof, which at the date of killing, being a calf, was less than four weeks old, or being a lamb, was when killed less than eight weeks old.

247. Sale of diseased cattle as food prohibited. It shall be unlawful for any person to kill or cause to be killed for human food, any cattle in an overheated, feverish or diseased condition, and all such diseased cattle within the limits of Salt Lake City and the place where found, and their disease, shall be at once reported to the board of health by the owner or custodian thereof.

248. Feeding swine on unwholesome food prohibited.

It shall be unlawful for any person owning swine to feed or permit the feeding of the same upon meat, blood or entrails in a putrid or decayed state, or upon any food calculated to engender disease in the flesh of such animals.

249. Putrid meat, fish, bird or fowl as food. It shall be unlawful for any person to hold for sale, offer for sale or buy for food, or hold or keep in any market, public or private, or in any public place, any cased, blown, plated, raised, stuffed, putrid, impure or unwholesome meat, fish, bird or fowl.

250. Stalls and markets to be kept clean. It shall be unlawful for any person, being the owner, lessee or occupant of any room, stall, market, or place where any meat, fish or vegetables designed or held for human food shall be stored, kept or offered for sale, to permit or allow such room, stall or place or its appurtenances to be or remain in an unclean or unwholesome condition.

251. Unwholesome meat to be confiscated. It shall be unlawful for any person to expose for sale in any market, house, shop or elsewhere, any tainted, putrid or unwholesome meat or provisions; and it shall be and is hereby made the duty of the inspector of provisions to forthwith seize and confiscate all such meat and provisions.

252. Milk, butter and cheese. It shall be unlawful for any person to keep at any place where milk, butter or cheese is sold, or to sell or deliver, or offer or have for sale, or keep for use, or to bring to Salt Lake City any unwholesome, skimmed, watered or adulterated milk, or milk known as swill milk, or brewer's malt milk, or milk from cows or other animals, which for the most have been kept in stables, or have been fed on swill or brewer's malt; or milk from sick or diseased cows or other animals, or any butter or cheese made from any such milk; or any unwholesome butter or cheese.

253. Manner in which cattle shall be kept. It shall be unlawful for any person to keep cattle in any place in which

the water, ventilation, sanitary condition and food are not sufficiently wholesome for the preservation of their health.

254. Manner of transporting cattle. It shall be unlawful for any person to transport or place in any vehicle for transportation, any cattle tied by the legs, or bound down by the neck, but such cattle shall be allowed to stand freely in such vehicle while being transported or being confined therein.

255. Slaughtering cattle. It shall be unlawful for any person to slaughter cattle or other animals at any place within the limits of Salt Lake City, without a special permit from the city council.

256. Milk. Inspection of. It shall be unlawful for any person to bring or send into Salt Lake City, for sale, or to offer for sale or sell in said city, any milk without having first obtained from the board of health of said city a permit so to do. Such permit shall be given by said board of health whenever upon inspection of the premises where the cows are kept, and inspection of the vessels used to hold such milk, and test of the milk, it shall appear that said premises and vessels are kept in good sanitary condition, and that the milk meets the requirements of the ordinances and rules adopted by such board of health, and upon condition that none but pure, unadulterated and undiluted milk shall be sold.

257. Condemnation. After such permit shall have been granted, the inspector of provisions of said city shall have power to condemn milk whenever, upon inspection of premises and vessels and test of milk, it shall be found that such premises or vessels are not kept in good sanitary condition, or that the milk does not meet the requirements of the ordinances, and the rules adopted by the board of health; and it shall be unlawful for any person to sell or offer for sale any milk so condemned.

258. Quality of milk. It shall be unlawful for any person to offer for sale or to sell milk, unless the same contains not

less than three per cent of fat, and a total of not less than twelve and one-half per cent of solids, or unless sold as an inferior article, and plainly marked as such.

259. Manner of marking milk wagons. It shall be unlawful for the owner of any milk wagon used in Salt Lake City for the delivery or sale of milk, to fail to have the name of the owner, the number of his permit, and the location of the dairy printed on said wagon in a conspicuous place, and in a plain and legible manner.

260. Water for drinking purposes. It shall be unlawful for any person to allow to run or pass into any water pipe, any animal, vegetable or mineral substance whatever, or to do or permit to be done, any act or thing that will imperil the purity of any water used for drinking purposes.

261. Ice. Application to sell. It shall be unlawful for any person, firm or corporation to engage in the business of retailing and selling any ice from house to house, or to hotels, restaurants, saloons or other places where such ice, so sold and delivered, may be used in contact with articles of food or drink (which use is hereinafter referred to as "domestic use"), without first filing a written application with the board of health for a permit therefor, stating in such application the place or places where such ice is to be, or has been cut or gathered, the means of delivery, the location of the storage thereof, or places from which such ice is to be delivered, and the quality of the ice intended to be sold. Such application shall be verified by the oath of the applicant; or if the applicant is a firm or corporation, by the oath of a member of the firm or some officer of the corporation; and the person verifying shall state under oath that the matters stated in the application are true. Such application shall be likewise accompanied by a fee of five dollars, which upon issuance of the permit herein referred to, shall be by the board of health covered into the city treasury. Upon refusal of such permit by the board of health, the fee deposited shall be returned to the applicant

262. Standard for domestic ice. All ice to be sold and delivered within Salt Lake City for domestic use, shall be pure and healthful ice, free from matter deleterious to health; and such ice is hereby defined to be ice which, upon chemic and bacteriologic examination shall be found free from nitrates, nitrites and pathogenic bacteria, and to contain not more than sixteen one-hundredths of one part of free ammonia, and nine one-hundredths of one part of albuminoid ammonia in one million parts, and in respect to which the loss on ignition shall be less than one-half of the total solids, and the oxygen consumed shall not exceed two and one-half parts in one million.

263. Permits. Said board of health shall examine such application, and if it shall appear therefrom and from a chemic and bacteriologic examination of fair samples of such ice, made under the direction of said board of health, that the ice intended to be sold is such ice as may, under this chapter, be lawfully sold and delivered in Salt Lake City for domestic use, said board shall issue to such applicant a permit to sell such ice for domestic use. No permit shall be issued for a period greater than twelve months from the date of its issuance.

264. Sale. It shall be unlawful for any person to sell or deliver any ice for domestic use, without first having obtained from the board of health the permit specified in this chapter, and under any circumstances, to sell or deliver, for domestic use, any ice which shall have been taken from any lake, pond, river, stream or other body of water, wherever located, which is defiled by sewage, garbage, ashes, decaying vegetation, refuse or wastes from any industry, or by any other substances tending to make water impure and unhealthful, according to the standard fixed by this chapter.

265. Inspection. It shall be the duty of the health commissioner to examine, or cause to be examined, from time to time, the places where ice is to be gathered, or has been gathered, for sale and delivery within said city, and all places where such ice may be stored or kept, and every vehicle in

which the same may be delivered, on any part of its route from the place where it is gathered to the final customer; and to examine or cause to be examined from time to time, ice so sold or delivered, or to be sold or delivered, so far as he may deem necessary or expedient to ascertain whether such ice is pure and healthful and free from matter deleterious to health, according to the standard prescribed by Section 262, and if upon such examination it shall be found that any person, firm or corporation has sold and distributed, or is selling and delivering any ice for domestic use below said standard, or any ice contrary to the provisions of this chapter, the said health commissioner shall cause every such offender to be prosecuted; *provided*, that in all cases where ice is so taken for examination, such sample shall be taken with the knowledge of the person in charge of said ice or ice wagon.

266. **Impure ice for cooling purposes.** This chapter shall not be construed to prohibit the sale or delivery of impure ice to be used only for packing and cooling purposes, that is to say, for use in refrigerators, refrigerator cars, freezing machines, rooms and other places where it will not come in contact with articles of food or drink; provided, that a permit to sell, deliver or use impure ice for the purposes aforesaid, and for no other purpose, shall be first obtained in the manner and upon payment of the fee prescribed in Section 261. Whenever any impure ice for packing or cooling purposes shall be sold or delivered from any wagon or other vehicle, the driver or other person in charge thereof, shall carry a supply of printed cards on which shall be printed in large, legible letters, the words: "Ice for packing and cooling purposes only. Not for domestic use," and he shall hand with each delivery of such ice, one such card to each customer, or to the person who receives such ice, and shall take at the same time a receipt which shall be given him by such purchaser or recipient, on which receipt said words shall be similarly printed. It shall be unlawful to sell or deliver any ice for packing or cooling purposes without such permit, or otherwise than in conformity with the provisions of this section.

267. **Penalty.** Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than one hundred dollars, or by imprisonment in the city jail not more than one hundred days, or by both such fine and imprisonment.

CHAPTER XX.

FRANCHISES AND SPECIAL PRIVILEGES.

268. **Application. Copies. Fee.** Whenever application shall be made to the city council of Salt Lake City for a franchise or grant of special privileges, or for an extension or renewal of any existing franchise or grant of special privilege, the applicant shall furnish to the city recorder, for the use of the council nineteen copies of the proposed resolution or ordinance, and pay into the city treasury a fee of two hundred dollars.

269. **Non-assignable. Exception.** All franchises and grants of special privileges shall be deemed to be non-assignable without the express permission of the city council, whether such limitation is set forth in the body of the franchise or grant or not.

270. **Manner of assignment.** All assignments of franchises and special grants must be in writing, and a copy thereof filed in the office of the city recorder before any such assignment or transfer will be recognized by Salt Lake City.

271. **Forfeiture.** Any attempted assignment or transfer of a franchise or special privilege not made in accordance with the provisions of this chapter shall operate as a forfeiture of all the rights of the grantee therein given.

CHAPTER XXI.

GARBAGE.

272. **Board of health.** All scavenger work shall be subject to the direction and control of the board of health. It shall be the particular duty of the board of health to enforce the provisions of this chapter in reference to garbage and scavenger work.

273. **Two garbage districts.** There shall be and there are hereby established within the limits of Salt Lake City, two garbage districts, to be known and designated as Garbage District No. 1, and Garbage District No. 2.

274. **Boundaries District No. 1.** Garbage District No. 1 shall comprise all that portion of Salt Lake City bounded and described as follows, to-wit:

Beginning at the northeast corner of the intersection of South Temple Street and First West Street, and running thence due east along the north side of South Temple Street to a point midway between State Street and Second East Street, and running thence due south along an imaginary line drawn through the center of blocks 74, 71 and 56, plat "A," Salt Lake City Survey, to a point in the center of block 53, said plat and survey, and running thence due west along an imaginary line drawn through the center of blocks 53, 52, 51 and 50, said plat and survey, to the east side of First West Street, and running thence due north along said east side of First West Street to the place of beginning.

275. **Boundaries District No. 2.** Garbage District No. 2 shall comprise that portion of Salt Lake City outside of the limits of garbage district number one, bounded and described as follows, to-wit:

On the north by Eighth North Street, and the northern boundary of the city, on the east by the reservation line, on

the south by Ninth South Street, and on the west by Tenth West Street.

276. Receptacle for garbage. Within the garbage districts described in this chapter, there shall be provided and kept by the owner, agent or occupant of any and every building, a suitable metallic vessel, free from leakage, in which shall be placed all garbage and liquid refuse that accumulates in said building or on the premises. Said receptacle shall be emptied not less than once during each week, in spring, summer and fall, and not less than once in two weeks in winter, and in each case oftener, if so directed by the board of health.

277. Mixture of rubbish with garbage prohibited. It shall be unlawful for any person, within the garbage districts described in Sections 274 and 275, to deposit ashes and non-combustible rubbish in the same vessel or receptacle with combustible garbage or liquid substances.

278. Befouling gutters and ditches prohibited. It shall be unlawful for any person to sweep or deposit any paper or other rubbish in any gutter or ditch within the garbage districts created by Sections 274 and 275, or to empty into any gutter or ditch any house slops or the contents of spittoons.

279. Accumulation of manure prohibited. It shall be unlawful for any person to permit manure to accumulate in or on any premises within the city limits.

280. Deposit or burial of nightsoil in garbage districts prohibited. It shall be unlawful for any person to deposit or bury any nightsoil in or on any premises within the garbage districts.

281. Garbage, manure, etc., to be moved. It shall be unlawful for any person to fail to move all garbage, manure, nightsoil, ashes and other refuse and offal to a place designated by the board of health, or to use a cart, vehicle or vessel for carrying any nauseous or offensive substances which shall

not be strong, tight and covered so as to be inoffensive, and of which the sides shall not be made so high above the load or contents that no part of such contents shall fall, leak or spill therefrom. It shall be unlawful for any person to move the contents of any privy, vault or cesspool, or to transport the same through any of the streets of Salt Lake City, except by means of an air-tight vessel or in such manner as shall prevent entirely the escape of any noxious or offensive odors therefrom. It shall be unlawful for any person to move the carcass of any dead animal except it be covered from view during removal.

282. Permits for emptying vaults, cesspools, sinks and privies. It shall be unlawful for any person except a licensed scavenger, to empty or clean any vault, privy, water closet, sink, cesspool or grease trap within the garbage districts, except pursuant to a permit therefor received from the board of health. It shall be unlawful for any person to remove, carry or haul through the streets any nightsoil or contents of cesspools or grease traps except between the hours of 11 o'clock p. m. and 5 o'clock a. m. from May 1st to October 30th, and between the hours of 10 o'clock p. m. and 6 o'clock a. m. from November 1st to April 30th.

283. Permits for hauling garbage. It shall be unlawful for any person or persons, to engage in the business of hauling garbage, manure or other refuse without first obtaining a permit so to do from the board of health; provided, that this condition does not apply to persons hauling their own garbage with their own teams.

284. Manner of marking scavenger wagon. It shall be unlawful for any person engaged in the business of removing garbage, manure or other offensive refuse, to fail to have the word "SCAVENGER," and the number of his permit in large white letters on black ground plainly printed or attached to both sides of his wagon-bed.

285. Spilling garbage or refuse prohibited. It shall be unlawful for any person engaged in hauling garbage, rubbish

or decaying matter of any kind, to permit, allow or cause any of said matter to fall and remain in the streets.

286. Fees for removing garbage, etc. All persons holding permits shall be entitled to charge and collect not to exceed the following fees for the removal of garbage and refuse matter, to-wit:

For each two cubic yards of manure	75	cents
For each barrel of refuse (not more than 30 gallons)	25.	"
For vessels of less capacity than thirty gallons, for each ten gallons	15	"
For ashes, per load	75	"
For each load of refuse	75	"
For quantities less than one load, for each bushel thereof	10	"

287. Penalty. Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than one hundred dollars, or by imprisonment in the city jail not more than one hundred days, or by both such fine and imprisonment.

CHAPTER XXII.

HEALTH.

288. Board of health. Appointment. Compensation.

The mayor shall, by and with the advice and consent of the council, appoint, during the term for which he is elected, a board of health, consisting of a health commissioner, who shall be a graduate of a reputable medical college, and two other citizens. The mayor shall be ex-officio chairman of the board. The compensation of each member of the board of health (exclusive of the mayor and the health commissioner) is hereby fixed at five dollars for each meeting attended. The health commissioner shall receive as compensation, in full for all services rendered the city, a salary of twelve hundred dollars per annum, payable monthly as are the salaries of other city officers.

289. Health commissioner. Oath. Bond. The health commissioner shall, before assuming the duties of his office, take and subscribe the constitutional oath of office, and shall furnish a bond to the city in the sum of five thousand dollars.

290. City chemist. Appointment. Compensation.

Duties. The board of health shall have the power to appoint, subject to the confirmation of the council, a suitable person as city chemist, at a salary of seven hundred and twenty dollars per annum, which shall be in full for all services rendered, payable monthly as are the salaries of other city officers. It shall be his duty to make such analyses, tests and examinations as may be required by the board of health and engineering department.

291. Clerk. Appointment. Compensation.

The board of health shall have the power to appoint a clerk, subject to the confirmation of the council, at a salary of ten hundred and eighty dollars per annum, payable monthly as are the salaries of other city employees.

292. **Duties and powers of the board.** The board of health shall exercise general supervision over the health of the city, and put into effect all measures necessary to promote the health and cleanliness thereof. It shall cause all nuisances of every description on public and private property to be abated. It shall use all due measures to prevent the introduction or spread within the city, or within five miles thereof, of any malignant, contagious or infectious disease; and remove, quarantine or otherwise dispose of any person or persons, clothing or effects attacked with or having been exposed to such disease, and shall adopt all necessary rules and regulations, to prevent the introduction or spread of malignant, contagious or infectious diseases within the city, or within five miles thereof. It shall keep a register of births, deaths and burials. It shall make a report to the city council, the last Tuesday in each fiscal year (or oftener if directed by the council), of all its proceedings, of the sanitary condition of the city and the cleanliness thereof, and shall make such recommendations as in the judgment of the board will improve the sanitary condition of the city. It shall have power to stop and prevent the discharge of sewage from any premises within the city limits, into and upon any public highway, stream, water course or public place, or into any drain, cesspool or private sewer, and to order a connection to be made with the public sewer from any premises whenever, in the opinion of said board of health, the public interest shall demand it. Said board shall have power to require the prompt repair of all leaks or other defects in plumbing throughout the city, and shall have power to condemn and abate all plumbing which is deficient under the requirements of the plumbing ordinances. And where from change of occupants or of business, or from other cause, it may be necessary in the opinion of said board, to alter the kind or increase the number of plumbing fixtures in any building, it shall have the power to compel such alteration or increase to be made.

293. **Sewer connections.** It shall be unlawful for the owner of any residence, factory, mill, warehouse, store, office

or other building, or his agent or agents, or other person having charge or receiving rents for said property, said property being located on any street or alley along the line of any sewer, to neglect or refuse for a period of twenty days after notice from the board of health, to connect any water closet, bath tub, sink or basin in or upon such property with such sewer.

294. Duty of health commissioner. (See Nuisances, Sec. 486.) The health commissioner shall be the executive officer of the board. He shall take notice of all ordinances relating to the sanitary condition of the city and enforce the same, and to this end he is hereby authorized to enter, in the day-time, any premises, houses or buildings in the city or within five miles thereof; he shall issue all necessary permits for the burial, removal or other disposition of the bodies of deceased persons.

295. Meetings of the board. The meetings of the board shall be held the first Monday in each month. Special meetings may be called by the mayor at any time, and shall be called by him at the request of two members of the board.

296. Duty of clerk. The clerk shall perform such duties as may be required by the health commissioner, the board of health or any city ordinance. He shall keep in suitable books a full and complete record of the rules, accounts and proceedings of the board, and an account of all expenses incurred, the manner of disbursement, and also of all money received by the board. Before any money is disbursed, the accounts shall be examined and approved by the board, signed by the health commissioner, and examined and audited by the city auditor.

297. Births. Registration. The board of health shall keep a book, properly indexed, to be known as the Register of Births, in which shall be recorded all births reported as occurring in Salt Lake City, giving the date and place of birth by street and number, the sex and color of the child

born, the name, age, nativity and residence of the parents, and the occupation of the father.

Every physician, midwife, nurse or other person who shall attend professionally, or assist at the birth of any child in Salt Lake City, shall, within five days thereafter, fill out, sign and transmit to the board of health a report of birth, which shall give the date and place of birth, by street and number, the sex and color of the child born, the name, age, nativity and residence of the parents, and the occupation of the father.

It shall be the duty of the board of health to cause to be printed, and keep on hand a full supply of postal cards containing blanks for filling in the information contained in the report above described, which cards shall be furnished on demand to any physician, midwife or nurse in Salt Lake City.

298. Burials. Removal of bodies of deceased persons. Permit. Application. It shall be unlawful to bury, remove or otherwise dispose of the body of any deceased person without first having obtained a permit so to do from the health commissioner. Such permit shall only issue upon application therefor in writing signed by the undertaker in charge of the body.

The application shall be in such form as the board of health may prescribe, but must contain a statement of the age, color, sex, residence, nationality, place of birth, place of death and cause of death of the deceased; and when there has been an attending physician, his certificate of the cause of death must be attached. If there was no physician in attendance during the last illness or at the death of deceased, the application must be accompanied by the affidavit of the undertaker or some one acquainted with the facts, setting forth the circumstances and cause of death.

299. School books. Distribution and disinfection. It shall be unlawful to cover school books with cloth or any material other than paper. In all schools, academies and colleges where there is a free distribution of school books,

such books, having been once used, shall have the paper covers removed and shall be thoroughly disinfected in accordance with the rules of the board of health; there shall be no distribution oftener than is necessary. A student having once received a school book, shall retain the same as long as such book is necessary in his studies. It shall be unlawful to collect from students in schools, academies and colleges, any pencils, sponges or penholders generally used by such students, and distribute the same to other students, except after disinfection.

300. Rules and regulations in relation to the quarantine of and disinfection after certain contagious or infectious diseases. The following rules and regulations, in relation to the quarantine of and disinfection after scarlet fever, smallpox, diphtheria, bubonic plague, epidemic cerebro-spinal meningitis, whooping cough, measles, typhoid fever, chickenpox and other infectious or contagious diseases are hereby adopted and declared to be in force in Salt Lake City:

(1) It shall be unlawful for any physician, or other person caring for the sick in Salt Lake City, and every person having knowledge of the existence in Salt Lake City, of any of the diseases hereinafter mentioned, or any other infectious or contagious disease, to fail to make a report of the existence of such disease to the board of health, on forms to be furnished by said board, within five hours after such physician or other person becomes aware of the existence of any case of scarlet fever, smallpox, diphtheria, bubonic plague, epidemic cerebro-spinal meningitis, whooping cough, typhoid fever, measles, chickenpox, or any acute, contagious, eruptive disease in his or her charge, or within his or her knowledge; additional cases occurring in the same house shall be reported in the same manner as the first case; provided, that if the existence of such disease be discovered after five o'clock p. m., or before eight o'clock a. m., or on a legal holiday, it shall be reported as soon as may be, but not later than 12 o'clock noon next thereafter.

(2) The board of health may at all reasonable times, and after the exercise of proper disinfection, in accordance

with the methods of the board, permit any person not affected with any of the diseases in these quarantine rules specified, to leave the premises wherein any of said diseases may exist; provided, that the board of health, in its discretion may require any such person, although properly disinfected, to be detained in some isolated house or room a sufficient length of time to determine whether or not such person has contracted any such disease to which he or she may have been exposed.

(3) It shall be unlawful for any person to fail to place upon the outside of any dwelling house, living room, apartment or flat wherein is domiciled any person or persons having scarlet fever, smallpox, diphtheria, bubonic plague or epidemic cerebro-spinal meningitis, and near the front door or main entrance thereto, immediately upon the discovery of the existence of any such disease, a yellow flag not less than eighteen inches in length by twelve inches in height, upon which is printed in plain black letters at least six inches in height, the name of the disease which therein exists.

(4) It shall be unlawful for any person not a practicing physician to leave such premises, wherein is domiciled any person having any of the diseases in the preceding paragraph described, without first obtaining permission from the board of health, from the time of the discovery of any of said diseases until the quarantine on such premises shall have been removed, and the flag hereinbefore described taken down by the authority of the board of health.

(5) It shall be unlawful for any person to fail to place upon the outside of any dwelling house, living room or apartment wherein is domiciled any person or persons having measles or whooping cough, and near the front door or main entrance thereto, immediately upon the discovery of the existence of such disease, a white card at least twelve inches in length by eight inches in width, upon which is printed in plain black letters at least three inches in height, the name of the disease which therein exists.

(6) It shall be unlawful for any person or persons suffering from either of the diseases mentioned in rule 5, to

leave such premises after the discovery of such disease, until fully recovered, and until quarantine thereon has been lawfully removed, and such card taken down by the authority of the board of health; it shall likewise be unlawful for parents or guardians to allow children, whether actually suffering from either of said diseases or not, to leave the premises where either of such diseases exists from the time of the discovery of such disease until the removal of quarantine thereon, without first obtaining permission from the board of health.

(7) It shall be unlawful for any person or persons to cut, mar, burn, deface, destroy, cover up or in any manner mutilate, obliterate or remove, any quarantine flag or card, posted by authority of the board of health. It shall likewise be unlawful for any person or persons to interfere with, hinder, delay or obstruct any agent or agents, officers or employee of the board of health in the discharge of their duties.

(8) The quarantine flag shall be displayed at least twenty-one days after scarlet fever or smallpox, and fourteen days after diphtheria is first reported, and longer if directed by the board of health. In case of death the quarantine flag shall be displayed for not less than seven days thereafter, and longer if directed by the board of health.

(9) It shall be unlawful for any person who is, or who has been, affected with either scarlet fever, diphtheria, smallpox, whooping cough or measles, to leave the dwelling house, living room or apartment in which he or she has been so affected, without a permit from the board of health, which shall only issue upon presentation of a written certificate from the attending physician that all danger of communicating the disease has passed.

(10) It shall be unlawful for any person or persons residing or lodging in any dwelling house, living room or apartment wherein either scarlet fever, diphtheria, smallpox, bubonic plague or epidemic cerebro-spinal meningitis is present, or which is still under quarantine for any of such diseases, to leave such house without the written permission of the board of health.

(11) No permit to attend school or other public gathering shall be granted to a person affected with scarlet fever, smallpox, diphtheria, bubonic plague or epidemic cerebro-spinal meningitis, until twenty-one days after the removal of quarantine in cases of scarlet fever, smallpox and bubonic plague, and fourteen days after the removal of quarantine in diphtheria cases. Persons other than the particular individual affected, who have been under quarantine, shall, after the removal of such quarantine, be permitted to attend school and other public gatherings upon presentation of a written permit from the board of health.

(12) It shall be unlawful for any person to give, lend, sell, transmit, remove or exposé, without previous disinfection, according to the rules of the board of health, any bedding, clothing, rags or other objects, which have been exposed to infection from scarlet fever, smallpox, diphtheria, bubonic plague, epidemic cerebro-spinal meningitis, whooping cough, measles, typhoid fever or chickenpox.

(13) It shall be unlawful for the owner or owners, or his or their agents, of any conveyance, in which has been conveyed any person afflicted with a contagious disease, or any person or thing liable to carry infection, to use or allow such conveyance to be used for any purpose, until it has been thoroughly disinfected under the supervision of the board of health or its agent.

(14) It shall be unlawful for the owner or agent of any house in which a person has been suffering from any contagious disease, to let it or part of it for hire, without having previously disinfected it and all articles therein, according to the rules of the board of health, or under the supervision of it or its agents.

(15) It shall be unlawful for any person to take from a dwelling house, living room or apartment within the city limits in which there is existing or has existed, a case of contagious or infectious disease, any material or articles for the purpose of washing or cleaning without permission of the health commissioner or board of health, or to bring any

such material or articles within the city limits for the purpose of washing or cleaning the same.

(16) It shall be unlawful for any person or persons having knowledge of the removal, defacement or obliteration of any quarantine flag or warning sign intended to inform the public of the existence of any contagious disease, to refrain from advising the board of health of such removal for more than twenty-four hours.

(17) It shall be unlawful for any physician or other person to counsel or advise any other person or persons to disregard, disobey or violate any of these quarantine rules or regulations.

(18) It shall be the duty of the physician or person in attendance on any contagious case to report in every instance to the board of health, on the forms provided, whether or not children in the same family or other children in the same building attend school, and if so, at what school building or buildings they so attend.

(19) All persons suffering from either scarlet fever, smallpox, diphtheria, bubonic plague, cerebro-spinal meningitis, measles, or whooping cough, shall be isolated in rooms as far removed as possible from those occupied by other persons in the same building, and upon the top floor when practicable. No person other than the physician in attendance, and the nurse or nurses shall be admitted to such room during the prevalence of scarlet fever, smallpox, diphtheria, bubonic plague or epidemic cerebro-spinal meningitis, and in no case shall the nurse or nurses visit other portions of the house without having taken precautions by change of clothing, disinfection or otherwise, against conveying contagion.

(20) Every room occupied by a patient suffering from any contagious or infectious disease shall be immediately cleared of all needless clothing, carpets, drapery and other materials likely to harbor the poisons of the disease.

(21) Soiled bed and body linen shall be immediately placed in vessels of water containing a solution of 1-1000 bichloride of mercury, or a solution of chloride of lime of a

strength of eight ounces to a gallon of water, or some other suitable and equally efficacious disinfectant, and be allowed to remain in such solution or disinfectant at least half an hour.

(22) Excremental discharges from a patient suffering from contagious or infectious diseases shall be received in vessels containing a solution of 1-1000 bi-chloride of mercury or a solution of chloride of lime of a strength of eight ounces to a gallon of water, or some other suitable and equally efficacious disinfectant, and shall then be allowed to stand for half an hour before being emptied into sewer or privy vault. All vessels shall be kept scrupulously clean and thoroughly disinfected. Discharges from the throat, nose and mouth shall be received upon pieces of cloth, which must be immediately burned.

(23) All persons convalescing from scarlet fever, smallpox, diphtheria, bubonic plague, epidemic cerebro-spinal meningitis and whooping cough, shall be considered dangerous, and shall not be permitted to associate with others until a certificate has been issued to them by the board of health, to the effect that they may go abroad without danger of disseminating the contagion.

(24) It shall be unlawful for any undertaker, or any person acting as such, called to take charge of the body of any person who has died from scarlet fever, smallpox, diphtheria, bubonic plague or epidemic cerebro-spinal meningitis to take charge of the body of such person without first notifying the board of health of such call. It shall likewise be unlawful for any undertaker or any person in charge of the funeral of any person who has died of scarlet fever, smallpox, diphtheria, bubonic plague or epidemic cerebro-spinal meningitis, to permit the mingling of persons attending such funeral who have been exposed to the disease from which such person may have died, with persons who have not been so exposed.

(25) In all cases where a person has died from scarlet fever, smallpox, diphtheria, bubonic plague or epidemic cerebro-spinal meningitis, it shall be the duty of the undertaker or other person in charge of such dead body, to thor-

oroughly disinfect the same and place it in a tight burial case, which case shall not thereafter be opened.

(26) It shall be unlawful to hold a public funeral over the body of a person who has died from either scarlet fever, smallpox, diphtheria, bubonic plague or epidemic cerebro-spinal meningitis, or to remove the dead body or casket containing it, to any church, meeting house or place of public assembly, or to in any manner remove such body or casket in any public conveyance.

(27) It shall be the duty of the undertaker or other person in charge of the funeral of any person who has died of any contagious disease, to see that the ordinances of Salt Lake City and the rules of the board of health relating to the conduct of such funeral are strictly complied with, and to promptly report to such board in writing, any infraction thereof.

301. Disinfection. (1) All premises where either scarlet fever, diphtheria or smallpox has existed, shall, before the quarantine flag is removed, be thoroughly disinfected under the supervision of a quarantine inspector. When the room which has been occupied by a person sick with any of the diseases hereinbefore mentioned has been vacated, the floors, woodwork and furniture shall be thoroughly washed with a solution of chloride of lime, three ounces to the gallon, or of corrosive sublimate of a strength not less than 1-1000. This should be followed after an interval of twenty-four hours or longer, with a thorough scrubbing with soap and hot water. Especial care must be taken to wash away all dust from window ledges and other places where it might have settled.

(2) The walls and ceilings shall be re-papered or whitewashed or painted.

(3) The bedding and carpet shall be either burned or disinfected, at a public disinfecting establishment by the action of super-heated steam, or otherwise cleaned and disinfected by the board of health.

(4) All infected articles of clothing, hangings, bed linen and other fabrics shall be subjected to the action of boil-

ing water or superheated steam. All school books in use by a person who has any contagious disease shall be burned.

(5) As an additional precaution, sulphur may be burned in the room, after having carefully closed it and stopped all apertures; not less than three pounds to each 1000 cubic feet of space should be used.

(6) The fumigation, if used, should precede the general washing with the disinfection solution as mentioned in Rule I of the Disinfection Rules.

302. Penalty. Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than one hundred dollars, or by imprisonment in the city jail not more than one hundred days, or by both such fine and imprisonment.

CHAPTER XXIII.

HUMANE OFFICER.

303. Appointment. Compensation. The mayor shall appoint, during the term for which he is elected, subject to confirmation by the council, a competent and an humane person, to the position of humane officer, who shall hold office until the Monday next succeeding the expiration of the term of the appointing power, at a salary of nine hundred dollars per annum, payable monthly as are the salaries of other city officers.

304. Powers. Duties. (See Dogs Sec. 142.) The humane officer shall have police powers, and he may make arrests for any violation of any city ordinance. It shall be his duty to arrest any and all violators of any ordinance against cruelty to animals; to kill all permanently disabled animals; to take charge of, manage and control the city dog pound; to kill all unregistered and impounded dogs as provided in Sections 142 and 144, and to capture and impound any dog, found running at large, without a collar around its neck, with a metallic plate or check attached, showing the payment of the current year's license.

305. Oath. Bond. The humane officer shall, before assuming the duties of his office, take and subscribe the constitutional oath of office, and shall furnish a bond to the city in the sum of two thousand dollars.

306. Deputy. The humane officer shall have power to appoint, during the term for which he is appointed, a deputy humane officer, at a salary of four hundred and eighty dollars a year, payable monthly, who shall hold office during the pleasure of the humane officer, and for the acts of which said deputy, such humane officer shall be responsible.

Fees. See Section 143.

CHAPTER XXIV.

INTOXICATING LIQUORS.

307. **Liquors. Selling of. License required.** It shall be unlawful for any person to manufacture, sell, barter, give away, serve or in any manner deal out or otherwise dispose of any spirituous, vinous, malt or other intoxicating liquors without first obtaining a license so to do as hereinafter provided.

308. **Terms defined.** A manufacturer, as contemplated in this ordinance, is one who manufactures any of the before mentioned liquors, and sells the same at wholesale as follows: If in kegs, not less than two gallons; if in bottles, not less than one dozen; but no such liquor shall be sold or otherwise disposed of to be drunk on the premises where manufactured.

A wholesale dealer, as contemplated in this ordinance, is one who sells or otherwise disposes of such liquors in any quantity of five gallons or more.

A retail dealer, as contemplated in this ordinance, is one who sells or otherwise disposes of such liquor in any quantity of less than five gallons, and also by the glass or dram to be drunk on the premises where sold.

A restaurant keeper, as contemplated in this ordinance, is one who makes the cooking and serving of food to the public his principal occupation, or one who runs a lunch room or eating house in connection with a bakery, boarding house or hotel, or other establishment, excepting a saloon.

A druggist, as contemplated in this ordinance, is one who makes the compounding of medicines and the sale of drugs and medicines his chief occupation, and who, upon occasion, sells intoxicating liquor by the bottle or package, or in compounds or mixtures, but never exceeding five gallons in quantity in any one sale; provided, that any sale of intoxicating liquor by any druggist in quantity of five gallons or

more, shall be deemed to make of him a wholesaler, and subject him to the payment of a wholesaler's license as in this ordinance provided.

309. Unlawful to sell liquor without procuring a license and giving bond. One bar only to be operated under each license. Use of cellar for storage purposes permitted. It shall be unlawful for any person engaged in the sale or other disposition of spirituous, vinous, malt or other intoxicating liquors, or engaged in any business where such liquors are at any time sold or otherwise disposed of as an adjunct of said business, or whether engaged in any such business at wholesale or retail, or both, to conduct said business without first procuring a liquor license and giving bond therefor in the manner hereinafter prescribed; provided, that no more than one bar shall be operated under one license, and provided further, that any person to whom a license is granted under this ordinance may use a cellar or storehouse for storage purposes only.

310. Form of application and bond for liquor license. Applications for liquor licenses shall be made by petition to the city council by the applicant and filed with the city recorder; said petition must state definitely the particular place at which said liquors are to be manufactured, sold or otherwise disposed of; whether at wholesale or retail, and whether as a saloon, restaurant or drug store. At the time of filing his petition, the applicant shall deposit with the city treasurer an amount of money equal to one quarter's charge for the license applied for, which said sum of money shall be refunded to the applicant upon demand, in case the license petitioned for shall not be granted by the city council. The applicant shall also file with the petition a bond running to Salt Lake City conditioned that during the continuance of his license he will keep an orderly and well regulated house, and that he will not allow gambling in any form within the premises where his business is conducted; that he will pay all damages, fines and forfeitures which may be adjudged against him under the provisions of this ordinance and under

the provisions of title 32 of the Revised Statutes of Utah, 1898, and the amendments thereto, which said bond shall be in the sum of one thousand dollars for all wholesale and retail liquor dealers and manufacturers, and the sum of five hundred dollars for all restaurant keepers and druggists, with two or more individual sureties or one corporate surety, said sureties to be approved by the mayor. To the said bond shall be attached a justification to the effect that, in the case of individual sureties, said sureties are residents within Salt Lake County, State of Utah, and worth the amount specified in said bond, over and above all just debts and liabilities and exclusive of property exempt from execution; and in the case of a corporation surety, said justification shall be to the effect that said surety is qualified and authorized under the statutes of Utah to do business within said State as a surety company.

311. License to be issued only to the proprietor of the place licensed. Licenses non-transferable. No retail liquor license shall be issued to any person other than the proprietor of the place for which it is issued. A retail liquor license shall be non-transferable, except by consent of a majority of the city council, and it shall be unlawful for any person to do business under a license transferred to him without such consent.

312. Applications for retail liquor licenses to be referred to the chief of police for his recommendation. All applications for retail liquor licenses shall be made by petition to the city council and shall be immediately referred to the chief of police for his approval, and in no case shall a license be issued where his disapproval thereof is indorsed upon the application. The chief of police shall return all such applications with his approval or rejection to the city council for final action thereon within five days after the receipt of such application by him.

313. Sale of liquor by the drink by a restaurant, hotel or boarding house keeper prohibited. It shall be unlawful for any restaurant, hotel or boarding house keeper to sell.

give away or in any manner dispose of any kind of intoxicating liquor by the drink. Any such restaurant, hotel or boarding house keeper may obtain a license to sell bottled goods or intoxicating liquors in original packages only, by taking out a license for "bottled goods at retail" as hereinafter provided.

314. **Sale of intoxicating liquors by the drink, or in quantity exceeding five gallons, by drug stores without a wholesaler's license, prohibited.** It shall be unlawful for any person conducting any wholesale or retail drug store or stores in Salt Lake City, to sell or otherwise dispose of any liquor or intoxicating drink of any kind, by the drink, to be drunk on the premises, at any time. It shall also be unlawful for any such person to sell or otherwise dispose of any liquor or intoxicating drink in any bottle or package in quantity less than five gallons, unless said person, firm or corporation shall first have procured a druggist's license to sell liquors as hereinafter provided. It shall likewise be unlawful for any person to sell or otherwise dispose of any liquor or intoxicating drink in quantity exceeding five gallons, unless such person, firm or corporation shall first have procured a wholesaler's license, as in this chapter provided.

315. **Licenses, manner of issuing and form.** Upon the granting of any of the licenses in this chapter mentioned, the applicant shall be entitled to receive, from the city treasurer, a receipt for the amount of money deposited by him at the time of making his application, which receipt shall recite the payment by the applicant of the amount required for the license for the purpose specified in the application and in the grant by the city council. Upon presentation of such receipt to the city recorder, a license certificate shall be by him issued to the applicant which certificate shall state the name of the person, firm or corporation licensed, the character of the license issued, the place of business of the licensee, the kind or kinds of liquor to be manufactured, sold or otherwise disposed of, the date of commencement and expiration of the license, and that the person therein named is duly authorized

to carry on the business therein specified at the place and for the period therein named, and that said license is not transferable. Said certificate of license shall be signed by the recorder, with the seal of Salt Lake City affixed.

316. Licenses to be issued for three months. Unless otherwise specified, all licenses issued under the provisions of this chapter shall be for a period of three months, but if the applicant desires, he may apply for, and the city council in its discretion, may grant a license for a greater period, not exceeding in all one year.

317. Amounts to be paid for licenses. The following amounts shall be and are hereby established as the quarterly charge for licenses under the provisions of this ordinance, to-wit:

As a manufacturer	\$150.00
As a retail dealer	300.00
As a wholesale dealer	250.00
As a restaurant keeper (for sale of bottled goods at retail)	100.00
As a druggist	100.00

All said sums shall be payable strictly in advance; provided, that in no case shall any payment made or license issued, entitle the licensee to conduct more than one place of business thereunder.

318. Retail license includes wholesale. It shall be unnecessary for any person engaged in the business of retailing intoxicating liquors, and who pays a retail liquor dealer's license of three hundred dollars per quarter, as in this chapter provided, to obtain an additional license as a wholesaler before dealing in intoxicating liquors at wholesale; provided, that such wholesaling and retailing of such liquors be conducted upon the same premises, under the same roof and upon the same floor.

319. Manufacturer's license required for bottling or

casking liquors not manufactured in Salt Lake County. Any person desiring to engage in the business of bottling or casking any intoxicating liquors not manufactured in Salt Lake County, shall be deemed a manufacturer, and it shall be unlawful for any person to carry on such business without first applying for and obtaining a manufacturer's license, unless such person holds a wholesale dealer's license.

320. Sale of liquor to minors, Indians, insane or drunkards prohibited. It shall be unlawful for any person, whether acting for himself or as agent, servant or employee of any other person to give, sell, furnish or deliver, or otherwise dispose of any intoxicating liquor to any Indian or to any person under the age of twenty-one years, or to any person known to the community as an habitual drunkard, or to any insane or idiotic person, whether said Indian or minor or insane or idiotic person shall buy or receive the said liquor for his own use or consumption, or in whole or in part for the use or consumption of any other person or persons.

321. Minors, Indians, insane or idiotic persons in saloons or billiard halls prohibited. It shall be unlawful for any person to send or take, or for any owner, agent, bartender or employee to permit or allow any person under the age of twenty-one years or Indian or insane or idiotic person to go to or remain at or be in any saloon, wine room or apartment whatsoever, where intoxicating drink is sold or dispensed, excepting drug stores and the dining rooms of hotels and restaurants; or to permit any such minor to visit, frequent or remain in any billiard or pool room or hall connected therewith, where intoxicating liquor is sold or dispensed.

322. Unlawful for minors to misrepresent age. It shall be unlawful for any person under the age of twenty-one years to enter or remain in any saloon or other place where intoxicating liquors are sold or dispensed, except drug stores, hotels and restaurants, or to misrepresent his age and

state himself to be over the age of twenty-one years, in order to gain admission to any saloon or other place where intoxicating liquor is sold or dispensed, or to secure the sale to him of any malt, spirituous, vinous or other intoxicating liquor.

323. **Females prohibited from being in saloons or wine rooms between the hours of seven p. m. and seven a. m.** It shall be unlawful for any person keeping any saloon to have or keep in connection with or as a part of his place of business, any wine room, garden or other place, roofed or open, either with or without doors, curtain or curtains or screens of any kind, into which any female person shall be allowed to enter from the outside, or from such saloon, and there be supplied with any kind of liquor whatsoever; it shall likewise be unlawful for any person, be he owner, agent, bartender or employee of any saloon, to permit any female person to be or remain in such saloon between the hours of seven o'clock in the afternoon and seven o'clock in the forenoon; or to employ any female in any such saloon at any time.

324. **Dancing, drunkenness and disorderly conduct in saloons prohibited.** It shall be unlawful for any person or any agent, manager or bartender or employee of any person, engaged in the business of selling intoxicating liquors at retail, to permit lodging in the night time, dancing, drunkenness or sleeping, or to permit any disorderly conduct, in his saloon or place of business.

325. **Sale or disposal of liquor on Sunday prohibited.** It shall be unlawful for any person or any manager, agent, bartender or employee of any person to sell, give away or otherwise dispose of any intoxicating drink at any time during the first day of the week, commonly called Sunday, except he be a druggist, and then only for medical purposes upon the prescription of a regularly licensed physician.

326. **Physicians prohibited from issuing prescriptions**

in blank or in quantity with intent to violate this chapter. It shall be unlawful for any physician to issue any such prescription or prescriptions in blank, or in quantity, or in any manner, for the purpose of evading any of the provisions of this chapter.

327. Interior of saloons to be open to inspection from the exterior on Sunday. All blinds, curtains and screens shall be withdrawn from the doors and windows of all saloons, bars, wine rooms and other places where intoxicating liquors are sold, and all interior doors, screens blinds and curtains shall be so opened that an unobstructed view of the interior of such places may be had from the sidewalk or exterior of all such saloons, bars, wine rooms, or other places where intoxicating liquors are sold, during all of the time on the first day of the week commonly called Sunday. And it shall be unlawful for any person licensed to sell intoxicating liquors at such saloon, bar, winerom or other place, or the manager or other person having temporary or permanent charge thereof, to fail to comply with the provisions of this section.

328. License to be revoked for violation of the provisions of this chapter. Any person licensed to sell intoxicating liquors, as a retail liquor dealer or saloon keeper, restaurant keeper or druggist in whose place of business either or any of the offenses stated in this chapter shall be committed, or who himself shall be found guilty of either or any of said offenses, shall thereby forfeit his license, and the same shall at once, upon due notice as prescribed by law, be revoked by the city council.

329. License not to be reissued to any person convicted of any violation of this chapter. Any person whose license to sell intoxicating liquors has been revoked by the city council for any cause, shall thereafter be ineligible to receive any license to sell intoxicating liquors in Salt Lake City.

330. Not more than three licenses to be issued to any

person to sell intoxicating liquors. Not more than three licenses, to sell intoxicating liquors in Salt Lake City, shall be issued at any one time to the same person, firm or corporation, and no license to sell intoxicating liquors shall be issued to any firm or corporation, any members or stockholders of which combined, hold a total of three such licenses.

331. Unlawful to sell liquor on any election day. It shall be unlawful for any person, either licensed or unlicensed, to sell, give away or in any manner dispose of, directly or indirectly, any spirituous, vinous, malt or other intoxicating liquor on the part of any day set apart or to be set apart for a general or special election for any state, county or municipal officers, except members of the board of education, except for medical purposes upon the prescription of a physician as hereinbefore provided.

332. Mayor to issue proclamation closing saloons on certain days at his discretion. The mayor, whenever in his judgment, the peace, good order and safety of the inhabitants of the city shall require it, and on all legal holidays, may, by proclamation, forbid the sale or other disposition of any and all intoxicating liquors for any stated period of time, not exceeding in all twenty-four consecutive hours.

333. Licensees accepting licenses accept the provisions of this chapter. Any licensee receiving a license under the provisions of this chapter shall be deemed to have accepted the same with all the duties, obligations, restrictions and limitations herein provided for, imposed as part and parcel of said license without other or further notice, and without each or any of such provisions being specifically incorporated in the license to him granted.

334. Penalty. Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of not more than one hundred dollars, or by imprisonment in the city jail not more than one hundred days, or by both such fine and imprisonment.

CHAPTER XXV.

IRRIGATION.

335. **Watermaster. Appointment.** The mayor shall have power to appoint, during the term for which he is elected, subject to confirmation by the council, a competent person to the position of watermaster, who shall also be supervisor of streets, who shall hold office until the Monday next succeeding the expiration of the term of the appointing power, and until his successor is appointed and qualified.

336. **Salary.** The salary of the watermaster is hereby fixed at six hundred dollars per annum, payable monthly as are the salaries of other city officers.

337. **Oath. Bond.** The watermaster shall, before assuming the duties of his office, take and subscribe the constitutional oath of office, and shall furnish a bond to the city in the sum of one thousand dollars.

338. **Period of irrigation.** The period of irrigation shall be from the first day of April to the first day of November in each year.

339. **Apportionment of water.** On or before the first day of April, annually, the watermaster shall apportion and allot the water flowing through the natural and artificial channels into said city, to the persons entitled to water, and issue to said persons a certificate specifying the time during which such waters may be used; said apportionment and allotment shall be made with respect to time and the amount of water available in proportion to the quantity of land to be irrigated.

340. **Watermaster to locate ditches, etc.** It shall be the duty of the watermaster to see to the proper location, con-

struction and repair of all public gates, dams, flumes, ditches and reservoirs necessary for the proper controlling and distribution of such water within the corporate limits. He shall also keep a record of the location of all principal gates, dams, flumes, ditches, canals and reservoirs, which record shall show the nature of their construction, the length and capacity of the principal canals and ditches; also the extent and nature of the ownership of other corporations or of individuals or associations owning rights in any such ditches or canals. Said records shall also show the location of all weirs or other means employed to divide the waters of any ditch, canal, stream or other conduit for irrigation water, as well as the proportion of water to be divided or drawn from said weirs or other devices, and to whom and at and during what particular times and seasons water is to be drawn, together with such other information as may be necessary to enable a proper understanding of the city's rights from an examination of said records.

341. Head-gates and branch ditches. It shall be unlawful for any person to convey water, from a public ditch, to his lot or premises, by an irrigation ditch, without first having constructed, under the direction of the watermaster, a substantial gate, both in the public ditch and at the head of his branch ditch; the latter he shall keep closed and water-tight except during the period allotted to him for the use of such water; and where such branch ditch crosses any portion of a sidewalk, such ditch shall be made of lumber or other substantial material, the covering of which shall be on a level with such sidewalk.

342. Guard against damage. Where persons are obliged to convey water across lands lying between their premises and the public water ditches, the conveyance shall be done with the least possible injury to property, both in constructing the necessary ditches and in managing the water flowing therein, and such persons shall be liable for all damages caused by negligence in the construction of said ditches or in the management of water flowing therein.

343. **Right of way along ditches.** Where public water ditches pass through private grounds, the right of way for which has been acquired, the watermaster and his assistants are authorized to pass along said ditches as occasion may require, during the continuance of such right.

344. **Surplus water.** It shall be the duty of all persons using water for irrigation or other purposes to conduct the surplus or waste water into a public water ditch, and it shall be unlawful for any person to permit such water to flood the streets, sidewalks or private property to the damage thereof, or to run to unnecessary waste.

345. **Wrongful diversion of water prohibited.** It shall be unlawful for any person to turn the water from any public water ditch or reservoir, or from any private irrigating ditch during said irrigating period, except when the use of such water has been duly allotted to him, or to wilfully or maliciously break any dam, gate, sluice or ditch used for diverting or controlling such water, or to in any manner change the current or flow of water used for irrigating purposes, in any of said ditches.

346. **Appeal from apportionment.** Any person aggrieved at the proportion of water allotted to him by the watermaster, or at any other act claimed to have been done under the provisions of this chapter, may, on written complaint, be heard by the city council, who shall grant such relief as may be proper; but all such complaints must be presented to the council within twenty days from the origin of the act complained of.

347. **Quarterly report.** The watermaster shall report to the city council quarterly, or oftener if required by the council.

348. **Public water ditches defined.** Public water ditches are defined to be: First, the natural and artificial channels through which water flows into Salt Lake City; second, those constructed along the streets; and, third, those

through lots and blocks, for public use, and over which the city exercises control and jurisdiction.

349. Where public ditches may be crossed. It shall be unlawful for any person to drive any wagon or other vehicle across any public water ditch or canal within the corporate limits of Salt Lake City, other than at a regular crossing, or to place any pole, board or any other obstruction whatever, in any such public ditch or canal, for any purpose, or to in any manner interfere with the free and unobstructed flow of water in such ditch or canal.

350. Bridges and flumes to be constructed across ditches or canals. It shall be the duty of any person, desiring to drive across any public water ditch or canal, at any place other than at a public crossing, before so doing, to place over said ditch or canal a good and substantial bridge, or to place in said ditch or canal a good and substantial covered flume, sufficiently high and of sufficient capacity so as not to interfere with or prevent the free and unobstructed flow of water in said ditch or canal, said bridge or flume to be constructed under the direction of the watermaster.

351. Penalty. Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than five dollars nor more than one hundred dollars, or by imprisonment in the city jail not more than one hundred days, or by both such fine and imprisonment.

CHAPTER XXVI.

LAND AND WATER COMMISSIONER.

352. Land and water commissioner. Appointment.

The mayor shall have the power to appoint, during the term for which he is elected, subject to confirmation by the council, a person who shall be familiar with land titles and water rights, to the position of land and water commissioner, who shall hold office until the Monday next succeeding the expiration of the term of the appointing power, and until his successor is appointed and qualified.

353. Oath. Bond. Compensation. The land and water commissioner shall, before assuming the duties of his office, take and subscribe the constitutional oath of office, and furnish a bond to the city in the sum of one thousand dollars. The salary of the land and water commissioner is hereby fixed at twelve hundred dollars per annum, which shall be paid monthly as are the salaries of other city officers.

354. Duties. (See Waterworks, Section 823). It shall be the duty of said land and water commissioner:

First: To take charge of and manage all flumes, ditches, canals and waterways owned or controlled by Salt Lake City, that lie outside of the city limits; to watch and repair all such flumes, ditches, canals or waterways or parts thereof; to regulate the flow of water therein, to keep complete record thereof and generally to so manage said property and the use thereof, under the direction of the city council, that the best results may be obtained for the city and for those citizens directly interested in the use and management of said canals.

Second: To locate and familiarize himself with all the lands owned or controlled by Salt Lake City, both within and without the city limits; to keep complete records of all such real property with an accurate description of each parcel

thereof; to know whether or not each particular parcel thereof is occupied, and if occupied, by whom and upon what authority; to report to the city council whenever the city's title to or right in any of said property is jeopardized in any way, and to report generally or specially when called upon by the city council.

Third: To locate and familiarize himself with all water rights owned or controlled by Salt Lake City, or in which said city is interested, whether within or without the city limits; to keep complete records of all such rights with a description as accurate as possible of each of said water rights; of the use to which the city's interest therein is put, and of the general condition and nature of all said water rights; to have measurements of water taken by himself or deputies as directed by ordinance; to report to the city council whenever the city's title to or right in any of said water rights is jeopardized in any way, and to report generally or specially when called upon by the city council.

355. Deputies. The land and water commissioner shall have such deputies at such compensation as the city council may from time to time allow.

CHAPTER XXVII.

LICENSES.

356. Unlawful to transact business without a license.

It shall be unlawful for any person to engage in or carry on any business, trade, profession or calling, for the transaction or carrying on of which a license is required, without first taking out or procuring the license required for such business, trade, profession or calling.

357. License to be paid in advance.

A license shall not be issued to any person except the amount required for said license shall have been first paid to the city treasurer; upon presentation of the treasurer's receipt to the officer authorized to issue licenses, and upon complying with the provisions of this chapter in reference to such license, the license shall be issued to the applicant.

358. Applications. How license issued. Record.

All applications for license excepting liquor license, shall be made in writing to the mayor. All licenses, except liquor licenses shall be issued and signed by the mayor, or presiding officer of the city council, and attested by the city recorder under the seal of the city. The recorder shall file all applications for licenses, all accompanying statements and bonds, and shall keep an alphabetical list of licenses issued, stating the number, name, time, place and kind of business, and the amount paid, with such remarks as may be considered necessary.

359. What license shall contain. Assignment.

Every license issued shall specify, by name, the person to whom it is issued, and shall designate the particular place at which the business is to be carried on. No license granted or issued under any of the provisions of this chapter, or otherwise, shall be in any manner assignable or transferable, or author-

ize any person other than is therein mentioned or named, to do business, or authorize any other business than is therein mentioned or named, to be done or transacted, or the business therein mentioned or named to be done or transacted, at any place other than is therein mentioned or named, unless by permission of the council.

360. No rebate allowed. Exceptions. No rebate shall be allowed upon any license, unless the licensee has been damaged by fire or other unavoidable accident; or unless in case of affliction or poverty. In all such cases the council shall have discretionary power as to what, if any, amount shall be rebated.

361. Evidence of liability to pay license. In any action brought under, or arising out of the provisions of this chapter, the fact that a person represented himself as engaged in any business or calling, for the transaction of which a license is by ordinance required, or that such person exhibited a sign indicating such business or calling, shall be prima facie evidence of the liability of such person to pay for a license.

362. Quarterly and half-yearly licenses. Licenses for any vocation or business for which a yearly license is required, may be issued for terms of six months, upon the payment of seven per cent additional upon one-half of the amount of the yearly license; and for terms of three months, upon the payment of ten per cent additional upon one-fourth of such yearly license.

363. Free licenses. When may be given. If any person shall furnish such evidence, as shall satisfy the council committee on license that he, by reason of misfortune or physical infirmities, merits exemption from the payment of any license herein required, the mayor may remit such license upon the recommendation of a majority of such committee; provided, that no license to manufacture or sell intoxicating liquors shall be remitted.

364. Auctioneers. License. Bond. It shall be unlawful for any person to engage in the business of an auctioneer within the limits of Salt Lake City without first obtaining a license for such business. Such license shall continue for one year, and the licensee shall pay into the city treasury the sum of one hundred dollars therefor, and shall give a bond to the city with corporate surety, in the sum of one thousand dollars, conditioned for the honest and due performance of all duties by ordinance required, which bond shall be approved by the mayor and filed in the office of the city recorder.

Banker and broker (See Merchant)

Bicycle (See Section 726).

365. Billiard or pool-tables. Ten pin alleys. It shall be unlawful for any person to keep for use in any public place in Salt Lake City any billiard or pool table, or any pin or ball alley, or nine-pin or ten-pin alley in or on which games are played, without first obtaining a license therefor as hereinafter provided.

366. Application—amount. All applications for licenses contemplated by the preceding section shall state the number and kind of tables, pin or ball alleys, or nine or ten-pin alleys to be licensed, and the place of keeping the same. Upon the filing of such application, and upon payment into the city treasury of twenty-five dollars per annum for each billiard or pool table, pin or ball alley or nine or ten-pin alley specified in said application, yearly licenses may be issued thereon.

367. Boarding houses. Sworn statement. License. Any person who shall rent rooms, furnished or unfurnished, and board the occupants of such rented rooms, or board, not exceeding twenty persons, shall be deemed a boarding-house keeper. Every boarding-house keeper shall make a statement under oath showing the location of the house, the number of rooms contained in such house, and the num-

ber of persons which such house will reasonably accommodate. The recorder shall file all such statements, and yearly licenses may be issued thereon as follows:

For houses containing rooms sufficient to accommodate over ten persons and not exceeding twenty persons, twenty dollars.

All houses containing rooms sufficient to accommodate over twenty persons shall be deemed to be hotels.

368. Circus. Menagerie. It shall be unlawful for any person, either as owner, manager, agent, employee or performer, to open, carry on, exhibit or take part in any circus or menagerie, circus and menagerie combined, or wild west show, or any side show connected therewith, unless a license for such circus or menagerie, circus and menagerie combined, wild west show or sideshow has been first procured, and

payments therefor made into the city treasury as follows:

Circus or menagerie or circus and menageric combined, or wild west show, for the first day not less than \$500 nor more than	\$700.00
For each additional day not less than \$200 nor more than	\$300.00
Each sideshow, for the first day	75.00
For each additional day	40.00

Provided, that the license for a one-ring circus shall be one hundred dollars per day.

369. Contracting electrician. It shall be unlawful for any person to commence or carry on the business of a contracting electrician without first obtaining a license so to do, for which he shall pay into the city treasury the sum of twenty-five dollars per annum, and filing with the recorder a bond in the sum of one thousand dollars with corporate surety to be approved by the mayor, conditioned that such licensee will well and faithfully observe and obey any and all ordinances, rules or regulations of Salt Lake City pertaining to his business.

370. Dog and pony shows, etc. It shall be unlawful for any person, either as owner, manager, agent or employee, to open, carry on or exhibit any dog or pony show or performance of learned or skilled animals unless a license for such show or performance has been first procured, and payments therefor made into the city treasury as follows:

An exhibition or performance of twenty animals or less, for the first day	\$50.00
For each additional day	25.00
An exhibition or performance of more than twenty animals, for the first day	75.00
For each additional day	40.00

371. Drain layers. Any competent mechanic, of at least twenty-one years of age, having a permanently established place of business, with experience in laying drain or sewer pipes, upon making application, and upon payment to the city treasurer of ten dollars for the year, or unexpired part thereof, ending in all cases December 31st, and upon giving a bond in the sum of one thousand dollars, with corporate surety to be approved by the mayor, conditioned that the applicant will save the city and the public harmless from any and all damages that may arise by reason of his carelessness or negligence, or failure to properly execute or protect his work, may receive a drain layer's license, to lay private drain or sewer pipes, and make connections with the sewer system. The bond herein required shall be in addition to the bond required by section 698.

372. Fortune telling, etc. It shall be unlawful for any person to engage in or carry on the business, profession or occupation of fortune telling for hire, by what is known as palm-reading, mind-reading, card-reading, clairvoyance, astrology or any other means of foretelling future events for pay, without first obtaining a license therefor as herein provided. Any person or persons engaging in said business or profession shall make application for a license to carry on said business, and pay for such license the sum of two hundred dollars annually in advance.

373. Fresh meat dealers. It shall be unlawful for any person to engage in the business of slaughtering, slaughtering and selling or selling fresh meat, at wholesale or retail, within the corporate limits of Salt Lake City, without first making application for and procuring a license so to do, in manner herein provided. Any person desiring to engage in the business of slaughtering, slaughtering and selling or selling fresh meat within the corporate limits of Salt Lake City, shall make application for a license for such business. Such application must be in writing, and shall contain the name of the applicant, his residence address, and the address of his proposed place of business designated by street and number, and shall at the time of its presentation, be accompanied by a fee of one dollar, which shall be covered into the city treasury. No license herein provided for shall be issued for a period of less than twelve months, and all payments for licenses must be in advance. The license charge under the provisions of this section shall be as follows:

For slaughterers or butchers who are not vendors, per annum	\$ 25.00
For wholesalers who may slaughter, per annum	125.00
For retailers who may slaughter, per annum...	50.00
Both wholesalers and retailers who may slaughter, per annum	150.00

No license shall be granted to peddle or hawk fresh meat of any description upon the streets of Salt Lake City.

374. Hotels. Statement. Whoever shall keep any public house, with lodging rooms for the accommodation of more than twenty persons, is declared to be an hotel keeper. Every hotel keeper shall make and file with his application for a license, a statement, under oath, of the number of rooms of all kinds his house contains. The yearly license charge for hotels shall be as follows:

100 rooms or more	\$200.00
75 rooms and less than 100	150.00
50 rooms and less than 75	100.00
25 rooms and less than 50	50.00
25 rooms and less	25.00

375. **Hotel runner. License.** It shall be unlawful for any person to engage in or pursue the business of an hotel runner without first obtaining a license so to do; for such license he shall pay annually into the treasury the sum of fifty dollars.

376. **Intelligence and employment offices.** It shall be unlawful for any person to engage in the business of conducting an employment agency or intelligence office within the limits of Salt Lake City without first obtaining a license for such business. Such license shall continue for one year, and the licensee shall pay into the treasury the sum of one hundred dollars therefor, and give a bond to the city with corporate surety, in the sum of one thousand dollars, conditioned for the faithful observance of all ordinances of the city, and that he will pay all damages occasioned to any person by reason of any mis-statement, misrepresentation, fraud or deceit of himself or any of his agents or employees. Such bond must be approved by the mayor and filed with the recorder.

377. **Application.** Every application for a license to engage in the business of conducting an employment agency or intelligence office shall be referred to the city council, and no such license shall be issued without its approval.

Liquors (See Section 317).

378. **Livery stables.** A livery stable keeper is one who keeps for hire, horses, and carriages and other vehicles. A livery stable keeper's license may be issued upon the applicant filing with his application a statement under oath, showing the number of animals and vehicles of all descriptions to be kept by him. The yearly license charge for livery stable keepers shall be as follows:

For 35 or more vehicles, with animals	\$200.00
For 20 and less than 35 vehicles, with animals	100.00
For 10 and less than 20 vehicles, with animals	60.00
For 5 and less than 10 vehicles, with animals	30.00
For less than 5 vehicles, with animals	15.00

379. Lunch wagons. It shall be unlawful for any person to engage in or carry on the business of selling lunches from lunch wagons or lunch cars, in the streets, without first having obtained a license therefor, as herein provided. Any person so engaged in said business shall make application for a license to carry on said business, and shall pay for such license the sum of fifty dollars per quarter.

380. Merchants, bankers, etc. It shall be unlawful for any wholesale or retail merchant to commence or carry on his business without first making a statement under oath of the cash value of all goods, wares and other merchandise which he may have in his possession or under his control for sale, whether owned by him or consigned to him; or for any merchant to increase his stock beyond the limit of his class of business during the period of his license, without procuring an additional license for such increase; or for any banker or broker to commence or carry on his business without first making a statement, under oath, of the value or amount of the capital employed in his business. The recorder shall file all such statements in alphabetical order, and yearly licenses may be issued thereon as follows:

Over \$500,000 shall constitute first class, and pay	\$500.00
Over \$400,000 and not exceeding \$500,000 shall constitute second class, and pay	450.00
Over \$300,000 and not exceeding \$400,000 shall constitute third class, and pay	400.00
Over \$200,000 and not exceeding \$300,000 shall constitute fourth class, and pay	350.00
Over \$100,000 and not exceeding \$200,000 shall constitute fifth class, and pay	300.00
Over \$75,000 and not exceeding \$100,000 shall constitute sixth class, and pay	250.00
Over \$60,000 and not exceeding \$75,000 shall constitute seventh class, and pay	225.00
Over \$50,000 and not exceeding \$60,000 shall constitute eighth class, and pay	200.00
Over \$40,000 and not exceeding \$50,000 shall constitute ninth class, and pay	175.00
Over \$30,000 and not exceeding \$40,000 shall constitute tenth class, and pay	150.00

Over \$20,000 and not exceeding \$30,000 shall constitute eleventh class, and pay	125.00
Over \$15,000 and not exceeding \$20,000 shall constitute twelfth class, and pay	100.00
Over \$10,000 and not exceeding \$15,000 shall constitute thirteenth class, and pay	90.00
Over \$8,000 and not exceeding \$10,000 shall constitute fourteenth class, and pay	80.00
Over \$5,000 and not exceeding \$8,000 shall constitute fifteenth class, and pay	70.00
Over \$4,000 and not exceeding \$5,000 shall constitute sixteenth class, and pay	60.00
Over \$3,000 and not exceeding \$4,000 shall constitute seventeenth class, and pay	50.00
Over \$2,000 and not exceeding \$3,000 shall constitute eighteenth class, and pay	40.00
Over \$1,000 and not exceeding \$2,000 shall constitute nineteenth class, and pay	30.00
Over \$500 and not exceeding \$1,000 shall constitute twentieth class, and pay	25.00
Over \$200 and not exceeding \$500 shall constitute twenty-first class, and pay	15.00
Not exceeding \$200 shall constitute twenty-second class, and pay	10.00

Provided, that the provisions of this section shall not be construed to authorize any person to sell spirituous, vinous or fermented liquors in any quantity.

381. Milk dealers. It shall be unlawful for any person to engage in the business of selling milk without first obtaining a license so to do. He shall make yearly payments into the treasury for such license in accordance with the following scale:

Daily sales of two gallons or less	\$1.00
Daily sales of more than two and less than five gallons..	3.00
For each additional five gallons or part thereof above five gallons	2.50

Oil storage (See Section 202).

382. Pawnbrokers. It shall be unlawful for any person to carry on the business of a pawnbroker, or to loan money on deposit of personal property, or to deal in the purchase or

possession of personal property on condition of selling the same back again to the pledgor or depositor, or to loan or advance money on personal property by taking chattel mortgage security thereon, and take or receive such personal property into his possession, without previously having obtained a license so to do in accordance with the provisions of this chapter.

383. Amount of license. Bond. Every person applying for a license as pawnbroker, shall, before receiving such license, pay into the city treasury a license tax of two hundred dollars per annum (no such license to be issued for a less period than six months) and shall before receiving such license enter into a joint and several bond, with corporate surety to be approved by the mayor, in the penal sum of one thousand dollars, conditioned for the faithful observance of all ordinances respecting pawnbrokers; provided that the license provided for in this section shall not permit the licensee to conduct the business of a merchant.

384. How assigned. A pawnbroker's license may be assigned or transferred only upon permission of the city council, after payment into the city treasury of the sum of five dollars, and after the execution and filing of a new bond by the person to whom such license is or may be transferred or assigned. The city recorder shall keep a full and complete record of such assignments or transfers as of the first issuance and renewal of such licenses.

385. Peddlers and hawkers. It shall be unlawful for any person to carry on the business of peddling or hawking, or to offer for sale, barter or exchange at retail, any garden or farm produce, fruits, butter, eggs, poultry, fish, game, medicine or other goods, wares or merchandise, in, upon or along any street, without first obtaining a license so to do; *provided*, it shall be unlawful, under any circumstances, for any person to peddle or hawk any goods, wares or merchandise, in, upon or along any of the following streets, to-wit: South Temple Street from State to West Temple Street, First South Street from State Street to West Temple Street, Second South

Street from State Street to West Temple Street, Third South Street from State Street to West Temple Street, State Street from North Temple Street to Third South Street, East Temple Street from North Temple Street to Third South Street, West Temple Street from North Temple Street to Third South Street; and provided further, that no license shall be granted to peddle or hawk in, upon or along such streets.

386. Amount. Licenses for peddling or hawking as above described may be issued for the term of one year on payment, in advance, of the following sums:

- For a license to peddle fruit for each wagon, each wagon being separately licensed\$ 25.00
- For a license to peddle vegetables, fruit and garden produce, butter, eggs, poultry, fish and game 50.00

Provided, that nothing herein shall be deemed to apply to persons offering for sale butter and eggs, fruit or vegetables raised or produced by themselves.

- For a license to peddle merchandise and other property, medicine excepted \$100.00
 - For a license to peddle merchandise or other property of home manufacture or production 12.00
 - For a license to peddle any bakers' product 15.00
- No license shall be issued to peddle medicine.

387. Licenses exhibited and wagons marked. It shall be unlawful for any person licensed as a peddler to use a wagon, cart or other vehicle of any description or name whatsoever, in the business of peddling or hawking, without having the license therefor framed and covered with glass and securely attached to his vehicle on the right-hand side thereof in such manner as to be exposed to public view, or to use any such wagon, cart or vehicle without having such vehicle conspicuously marked on the left-hand side thereof with the words "Licensed Vendor" and numbered with plain figures on metallic plates. Metallic plates bearing the words "Licensed Vendor" and the numbers above mentioned shall be furnished by the city recorder with each license.

388. Plumbers. It shall be unlawful for any plumber to lay any service pipe connected or to be connected with the waterworks system, or to do any kind of plumbing work unless he is licensed and gives bond as provided in Section 389.

389. Amount. Bond. The yearly license for plumbers shall be twenty-five dollars, upon payment of which and upon giving a bond with approved corporate surety to the acceptance of the mayor, in the sum of one thousand dollars, conditioned for his faithful observance of the ordinances, rules and regulations relating to plumbing, the license may issue.

390. Public scales. It shall be unlawful for any person to operate any public scales without first obtaining a license so to do. Such license shall continue for one year and the licensee shall pay into the treasury the sum of twelve dollars therefor, and give a bond to the city with corporate surety, in the sum of five hundred dollars, conditioned for the faithful observance of all ordinances of the city and that he will pay all damages occasioned to any person by reason of any misstatement, misrepresentation, fraud or deceit of himself or any of his agents or employees. Such bond must be approved by the mayor and filed with the recorder.

391. Restaurant keeper defined. Amount. Liquors prohibited. A restaurant keeper is defined to be any person who shall keep any house or place for the furnishing of meals without lodging, within the limits of Salt Lake City. A restaurant keeper's license may be issued upon the applicant filing with his application a statement under oath showing the greatest number of persons he can furnish with meals at one time. The yearly license charge for restaurants shall be as follows:

For all restaurants able to accommodate thirty or more guests at one time	\$75.00
For all restaurants able to accommodate twenty guests and less than thirty	40.00
For all restaurants able to accommodate over ten guests and less than twenty	20.00
For all restaurants able to accommodate ten guests or less	10.00

Provided, that no restaurant keeper's license shall in any manner authorize the sale of spirituous, vinous, malt or other intoxicating liquors, but such restaurant keeper may obtain an additional license to sell "bottled goods" as provided in section 313.

392. Scavengers. It shall be unlawful for any person to engage in the business of removing night-soil or the contents of privies, vaults, water-closets, cesspools or grease traps, within the corporate limits without first obtaining a license so to do. Such license shall be in the sum of twenty-five dollars per year for each wagon used. All scavenger work shall be subject to the direction and control of the board of health.

393. Slot machines. It shall be unlawful for any person to operate or maintain for hire, gain or reward, any device known or designated as a slot machine, containing a slot or other device to receive any coin or other money, without first obtaining a license so to do; no license shall be issued for the operation or maintenance of any machine which is used for the purpose of gaming for money or other property; and machines used for telephone communication shall be exempt from the provisions of this section. Every person who shall operate or maintain any slot machine or other device mentioned herein, and which is herein authorized to be licensed, shall pay for each machine an annual license as follows, to-wit:

For machines receiving a deposit of one cent	\$ 3.00
For machines receiving a deposit of five cents	10.00
For machines receiving a deposit of ten cents	15.00
For machines receiving a deposit of twenty-five cents or more	25.00

In no case shall any such machine or device be operated or maintained in any public building or grounds, or upon the streets, sidewalks or other public thoroughfares. When a license is granted, it shall be framed and securely attached to the machine in such manner as to be exposed to public view.

394. Stock brokers. It shall be unlawful for any person

to engage in or carry on the business of buying and selling stocks within the corporate limits of Salt Lake City, without first having obtained a license therefor, as herein provided. Any person, firm or corporation so engaged, in said business of buying and selling stocks shall make application for a license to carry on such business, and shall pay for such license the sum of twenty-five dollars per year.

395. Sunday sacred musical concerts. Amount. It shall be unlawful for any person to give Sunday sacred musical concerts, and to charge an admission fee therefor without first having obtained a license so to do. The license charge shall be five dollars for each concert given.

396. Telephones. It shall be unlawful for any person to operate or maintain any telephone instrument for which a rental or charge is made, without first obtaining a quarterly license beginning January first in each year, for all telephone instruments so operated and maintained, in the quarter next preceding the application for such license.

397. Amount. Every person who shall operate or maintain any telephone instrument mentioned in the preceding section shall pay to Salt Lake City for each telephone instrument, for the use of which such person receives sixty dollars per annum or over, a quarterly license of twenty-five cents; and for each telephone instrument for the use of which such person receives less than sixty dollars per annum, a quarterly license of twelve and one-half cents.

398. Statements. It shall be unlawful for any person maintaining or operating such telephone instruments, to fail to furnish quarterly a complete list of said instruments to the city treasurer, the list to give location of instruments and names of individuals renting the same.

399. Theaters, concert halls or other places of amusement. For a license for a theater, concert hall or other place of amusement not otherwise provided for in this chapter, hav-

ing a seating capacity of 1,000 persons or more, \$200.00 per annum or \$5.00 for each performance; where the seating capacity thereof is less than for 1,000 and more than 500 persons, \$100.00 per annum or \$2.50 for each performance, and where the seating capacity thereof is less than for 500 persons, \$50.00 per annum or \$1.25 for each performance. For a license for a concert, ball, lecture, trick or legerdemain, or any other exhibition, show or amusement not herein otherwise provided for, where the seating capacity of the building or other place in which the same is held or performed is greater than for 1,000 persons, \$5.00 for each performance or exhibition; where the seating capacity thereof is less than for 1,000 and more than 500 persons, \$2.50 for each performance or exhibition; and where the seating capacity thereof is for less than 500 persons, \$1.25 for each performance or exhibition. And the right is reserved and the mayor may refuse a license for any of the above exhibitions. For a license to sell or otherwise dispose of tickets of admission to any theater, concert, circus or other place of amusement, by any person other than the proprietor or manager thereof or his duly authorized agent, \$100.00.

400. Vehicles. It shall be unlawful for any person to engage in the business of a hackman, drayman, carter, omnibus driver or cabman upon the streets of Salt Lake City, without first obtaining a license so to do. For such license such person shall pay annually into the city treasury according to the following scale:

For a license to run an omnibus	\$25.00
For a license to run a passenger vehicle drawn by two or more horses	20.00
For a license to run a passenger vehicle drawn by one horse	15.00
For a license to run a vehicle for the carrying of freight or express matter, such vehicle being drawn by two or more horses	12.00
For a license to run a vehicle for the carrying of freight or express matter, such vehicle being drawn by one horse	9.00

401. **License framed.** All vehicles licensed under the provisions of Section 400, shall have the license issued therefor framed and covered with glass and securely attached to the vehicle on the right hand side thereof in such manner as to be plainly seen.

402. **Miscellaneous licenses.** It shall be unlawful for any person to engage in or pursue any business, vocation or calling hereinafter mentioned without first obtaining a license so to do; and he shall (except where otherwise provided) make yearly payments into the city treasury, in advance for such license, as follows:

Assayer	\$ 12.00
Baggage wagons	10.00
Bill posters, to include distribution of advertising matter	150.00
Building, loan, discount and investment institutions when outside capital is employed	50.00
Coal yards, to run five wagons or less	50.00
Coal yards, to run over five wagons and under ten wagons	100.00
Coal yards, to run over ten wagons	200.00
Distributor of advertising matter	20.00
Exhibiting apparatus, per day	2.00
Exhibiting freaks of nature, per day	2.00
Exhibiting machines, per day	2.00
Exhibiting natural curiosities, per day	2.00
Exhibition for the trial or test of skill or strength, per day	25.00
Express company	100.00
Feed and boarding stable.....	30.00
Ice wagons, each	10.00
Insurance agent, for each company represented ...	25.00
Junk Dealers	300.00
Lodging rooms, without board, forty rooms and over..	50.00
Lodging rooms, without board, less than forty rooms and over twenty-five	25.00
Lodging rooms, without board, less than twenty-five rooms and over ten rooms	12.00

Oil or gasoline wagons, each	15.00
Ore samplers or crushers	25.00
Photographers	25.00
Railroad ticket brokers	100.00
Real estate agent	25.00
Second hand dealer	25.00
Sewing machine agent, for each company represented	25.00
Shooting gallery	50.00
Skating rink	100.00
Slack rope performances, per day	10.00
Sleight of hand or other trick amusements, per day...	15.00
Smelters	25.00
Solicitors of crayon, oil or other art productions, and enlargers of portraits or pictures	50.00

403. Penalty. Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than one hundred dollars, or by imprisonment in the city jail not more than one hundred days, or by both such fine and imprisonment.

CHAPTER XXVIII.

MAYOR.

404. **Compensation.** The mayor shall receive as compensation a salary of twenty-five hundred dollars per annum, which shall be in full for all official services rendered the city, and shall be paid monthly as are the salaries of other city officers.

405. **Oath. Bond.** The mayor shall, before assuming the duties of his office, take and subscribe the constitutional oath of office, and give a bond to the city in the sum of five thousand dollars.

406. **Duties.** The mayor shall devote so much of his time to the duties of his office as an efficient and faithful discharge thereof may require; he shall, from time to time, give the council such information, and recommend such measures, as he may deem advantageous to the city.

407. **Licenses. Deeds, etc.** The mayor shall sign all licenses except liquor licenses. In all cases where bonds for liquor licenses are not approved by the mayor, the same shall be referred back to the council for its final action. The mayor is authorized and empowered to sign his name officially for and in behalf of the city, on all deeds, bonds, bills, notes, obligations and other agreements, documents and papers to which the city is a party, when so empowered by law or when so authorized by the council.

408. **May offer reward.** Whenever, in his judgment it is a proper case, the mayor may offer a reward, in any sum not exceeding two hundred dollars, for the apprehension of violators of city ordinances.

409. **Pardoning power.** The mayor is authorized and empowered to grant full pardons to persons convicted of violations of the ordinances, and to remit so much of any fine or penalty imposed as in his judgment may seem just and reasonable; and shall report such remittance or release with the cause thereof to the city council at its next session.

410. **Supervisory powers.** The mayor, as chief executive officer of the city, shall exercise a general supervision over each and all of the departments of the city government. He shall personally examine into the operations of each department of the city at least once in every month and report to the council such matters as in his judgment need attention.

CHAPTER XXIX.

MISDEMEANORS.

(Public Peace and Morals.)

411. **Abusive language.** It shall be unlawful for any person to abuse another by using menacing, insulting, slanderous or profane language within the limits of Salt Lake City.

412. **Animals. Cruelty to.** It shall be unlawful for any person to torture, cruelly beat, ill treat, maim or disfigure any horse or other animal within the limits of Salt Lake City, whether belonging to himself or to another person.

413. **Animals. Killing or poisoning.** It shall be unlawful for any person to wilfully kill any horse or other domestic animal, the property of another, or administer poison to any such animal, or expose any poisonous substance within the limits of Salt Lake City with the intent that it shall be taken by any such animal.

414. **Driving sheep through the streets prohibited.** It shall be unlawful for any person to drive any herd of sheep consisting of fifty or more, over or upon any of the public streets of Salt Lake City.

415. **Keeping cows and swine.** It shall be unlawful for any person or persons to keep or cause to be kept more than two cows, or any pig, hog, swine, sheep or goat within that portion of Salt Lake City bounded as follows: Commencing on Ninth West Street and Ninth North Street, thence easterly along Ninth North Street to where it intersects the northern line of the city, thence along said northern line to Thirteenth East Street, thence south along said Thirteenth East Street to the south boundary of the city, thence west along said south boundary to Fifth East Street, thence north along said Fifth

East Street to Ninth South Street, thence west along said Ninth South Street to First East Street, thence south along First East Street to Tenth South Street, thence west along said Tenth South Street to Third West Street, thence north along Third West Street to Ninth South Street thence west along said Ninth South Street to Ninth West Street, thence north along said Ninth West Street to the place of beginning.

416. Assault and battery. An assault is an unlawful attempt, coupled with a present ability, to commit a violent injury on the person of another. A battery is any wilful and unlawful use of force or violence upon the person of another. It shall be unlawful for any person to commit an assault or battery within the limits of Salt Lake City.

417. Barbed wire fences prohibited. It shall be unlawful for any person to erect or cause to be erected, or to maintain any barbed wire fence along or adjacent to any street, or as a division fence between adjoining lots or parcels of land, either of which is occupied as a place of residence; any such fence so erected or maintained is hereby declared to be a nuisance.

418. Bathing. It shall be unlawful for any person to bathe or swim in any of the waters within the limits of Salt Lake City, except in public or private bath houses, unless covered with a bathing suit so as to prevent any indecent exposure of his person.

419. Bonfires on asphalt pavements prohibited. It shall be unlawful for any person to build, maintain or assist in building or maintaining any fire upon any of the streets, paved with asphalt or other material of a similar nature.

420. Coasting on streets prohibited. It shall be unlawful for any person to coast or slide down hill with any sled, sleigh, toboggan or vehicle, upon any public street, sidewalk or alley within Salt Lake City; provided, however, that the mayor, by

public notice or proclamation, may authorize the use of any street or streets, avenue or avenues, for coasting during the winter season. During the time for which such notice or proclamation shall be issued, coasting upon such streets or avenues as may be designated by the said proclamation or notice of the mayor shall be permissible and lawful.

421. **Dance house prohibited.** It shall be unlawful for any person to keep or maintain, or assist in keeping or maintaining a dance house where lewd or disorderly persons assemble together for dancing.

422. **Dangerous and concealed weapons.** It shall be unlawful for any person to carry any slingshot, brass knuckles, revolver, knife, stiletto or other concealed deadly weapon.

423. **Defacing or destroying property prohibited.** It shall be unlawful for any person to wilfully injure, deface or destroy, or secrete any goods, chattels or valuable papers of another, or to prepare any deadfall, or to dig any pit, or to arrange any trap, to injure another's person or property, or to take down, injure or remove any monument, street sign, or any tree marked as a boundary of any tract of land or city lot, or to destroy, deface or alter the marks of any monument or street sign, or to injure or destroy any fence or fountain, or any shade or fruit tree, or any other kind of public or private property, or to deface sidewalks with painted or printed handbills or signs, posters or other advertisements.

424. **Discharge of guns prohibited.** It shall be unlawful for any person to discharge any gun, revolver or pistol within the limits of Salt Lake City.

425. **Discharging air guns, sparrow guns or flippers prohibited.** It shall be unlawful for any person to discharge any air gun, sparrow gun, flipper or other similar contrivance within the limits of Salt Lake City.

426. **Disorderly houses prohibited.** It shall be unlaw-

ful for any person to keep an ill-governed or disorderly house, or to suffer or permit any drunkenness, quarreling, fighting, unlawful games, or riotous or disorderly conduct whatever on his premises, within the limits of Salt Lake City.

427. Disturbance of the peace prohibited. It shall be unlawful for any person to commit a disturbance of the peace within the limits of Salt Lake City, by loud or unusual noise, noisy acclamations or offensive language, by tumultuous or offensive conduct, or by threatening, traducing, quarreling, challenging to fight or fighting.

428. Disturbance at election or meeting prohibited. It shall be unlawful for any person to excite disturbance or contention at a public house, court, election or any lawful meeting of citizens within the limits of Salt Lake City.

429. Disturbance at religious meeting prohibited. It shall be unlawful for any person to disturb a public assembly, congregated for religious or other lawful purposes, within the limits of Salt Lake City, by undue noise, or by offensive, unbecoming or indecent behavior.

430. Drugs. Sale on streets prohibited. It shall be unlawful for any person to sell, barter or offer to dispose of by public outcry or otherwise, any drug, medicine or other substance for the cure of any disease or ailment, on any of the streets, alleys or highways within the limits of Salt Lake City.

431. Drugs to be labeled. Poisonous drugs to be labeled "Poison." (R. S. 1898, Sec. 1727.) It shall be unlawful for any person who prepares or puts up drugs to neglect to label them in a plain and legible manner, in the English language, and all drugs of a poisonous nature shall be labeled "Poison."

432. Drunkenness prohibited. It shall be unlawful for

any person to be drunk in any street, lane, alley or other public place in Salt Lake City.

433. Enticing minors from guardians prohibited. It shall be unlawful for any person to use any influence to entice or persuade any minor, male or female, under the age of thirteen years from his or her parents, guardians or other persons having charge or custody of such minor, without the consent of such parents, guardians or other persons.

434. Minors on the streets and in public places at unreasonable hours prohibited. It shall be unlawful for minor persons under fifteen years of age to be on any of the streets, alleys or public places in Salt Lake City between nine o'clock p. m. and four o'clock a. m. except such minor be attended by some adult person. It shall be unlawful for any parent, guardian or other person, having the legal care and custody of any minor under fifteen years of age, to allow or permit any such minor to go or be in or upon any of the streets, alleys or public places in said city within the time hereinbefore prohibited, unless accompanied by an adult person. It shall be the duty of the chief of police, or some one authorized by him, to ring the alarm bell at the fire station at nine o'clock each night, or to cause some other signal to be given.

435. Sale of tobacco to minors prohibited. It shall be unlawful for any person to sell, give or furnish any cigars, cigarettes or tobacco in any form, or opium or any other narcotic in any form, to any person under eighteen years of age.

436. Employment agency. It shall be unlawful for any person to conduct or carry on the business of an employment agent, or to open an employment agency or intelligence office in any place where intoxicating liquors are sold or dispensed.

437. Escape of prisoners. It shall be unlawful for any person convicted of any offense against the ordinances of

Salt Lake City, or under arrest and in lawful custody to escape from such custody.

438. Expectoration in public places prohibited. It shall be unlawful for any person to expectorate, or throw cigar stumps, cigarette stumps or quids of tobacco on the floor of any street railway car or other public conveyance, or public building, or on any paved sidewalk.

439. Taking of weapons, tools, intoxicating drinks or other articles to prisoners prohibited. It shall be unlawful for any person to take or to attempt to take into the city prison, or to deliver or attempt to deliver to any prisoner therein confined, or in the custody of any officer of such prison, any weapon, tool, intoxicating drink, drug, or other article without the consent of the officer in charge.

440. Obtaining goods under false pretenses. It shall be unlawful for any person to obtain any goods, chattels or other property under false pretenses, or to enter into any public house, shop or place, and call for refreshments or other article or thing and receive the same and depart without paying or compensating the owner therefor.

441. Fighting prohibited. It shall be unlawful for two or more persons to engage in a fight.

442. Fowls. Prohibiting trespassing by. It shall be unlawful for the owner of any domestic fowls, such as turkeys, ducks, geese or chickens, to permit such fowls to trespass upon the premises of another.

443. Gambling houses prohibited. It shall be unlawful for any person to keep a house, shop or any other place resorted to for the purpose of gambling, or to permit or suffer any person in any house, shop or other place under his control or care, to play at cards, dice, faro, roulette, keno or any other game for money or other property, or thing

representing money or other property. In a prosecution under this section, any person who has charge of, or attends to any such house, shop or place, shall be deemed the keeper thereof.

444. Gambling prohibited. It shall be unlawful for any person to play at any game for money or other property, or thing representing money or other property. It shall be unlawful for any person knowingly to permit or suffer, any game or gambling device whereby or by means of which, money, or thing representing money, or of value, may be won or lost, to be kept, maintained or operated upon any premises owned by him in whole or in part, or leased or rented by him to any other person. It shall be unlawful for any person to have in his possession any cards, dice, chips, tables, wheels, spindles or other devices, layout or paraphernalia whatever, for use in gambling or in conducting or betting upon any game of chance, whereby or by means of which, money or thing representing money or of value may be won or lost.

445. Witness not privileged from answering. No person, otherwise competent as a witness, is disqualified from testifying as such concerning the offense of gaming, on the ground that such testimony may criminate himself; but no prosecution can afterwards be had against him for any offense concerning which he is compelled to testify.

446. Hotel registers must be kept. It shall be unlawful for the keeper of any hotel, boarding-house or rooming house, which has ten or more sleeping rooms designed for the use of guests, to fail to keep a register, in which such keeper shall require each guest to write his or her name and place of residence, before occupying any of such sleeping rooms; or to fail to keep such register open to public inspection at all times. Any person, be he the owner, proprietor, clerk or any other person having regular or temporary charge of any hotel, boarding-house or rooming house, who shall violate

any provision of this section shall be deemed guilty of a misdemeanor.

447. Same. Badge. Every hotel runner while employed as such, shall wear an appropriate badge, which shall have inscribed thereon the name of the hotel represented by him.

448. Interfering with officer in discharge of duty prohibited. It shall be unlawful for any person to interfere with, resist, molest or threaten any officer of Salt Lake City while in the discharge of his official duties.

449. Obscene literature or conduct. It shall be unlawful for any person to

1. Offer for sale, sell, exhibit, pass, give or deliver to another, any obscene, lewd or indecent book, pamphlet, picture, card, print, paper, mould, cast or figure.

2. Circulate or distribute, or cause to be circulated or distributed, any pamphlets, books or circulars treating of or illustrating any of the diseases of the sexual organs.

3. Appear in a public place naked, or in an indecent or lewd dress.

4. Make any indecent or obscene exposure of his or her person, or to urinate or stool in any place open to the public view.

5. Indecently exhibit any horse, bull or other animal.

6. Be guilty of prostitution or any lewd, lascivious, obscene or indecent conduct.

7. Utter or speak any obscene or lewd language.

8. Exhibit or perform any indecent, immoral or lewd play or other representation.

450. Opium dens. It shall be unlawful for any person to keep or maintain, or to become an inmate of, or to visit, or to in any way contribute to the support of any place, house or room where opium is smoked, or where persons assemble

for the purpose of smoking opium, or inhaling the fumes of opium, or where opium is sold for such purposes.

451. Labor. Number of hours of. It shall be unlawful for any person to permit any workman working for Salt Lake City, to work more than eight hours per day.

452. Use of billiard and pool tables and bowling alleys on Sunday prohibited. It shall be unlawful for any person to permit the use of any public billiard or pool table, pin or ball alley, or nine or ten pin alley on the first day of the week, commonly called Sunday.

453. Street cars. Crossings. It shall be unlawful for any person to drive or propel in any manner, any street car, across any street intersection in the district bounded on the north by the north line of South Temple Street on the east by the east line of State Street on the south by the south line of Fourth South Street and on the west by the west line of West Temple Street without coming to a full stop within ten feet of such intersection, and sounding the gong of such car before starting.

454. Same. It shall be unlawful to stop any street car in the paved district so as to obstruct any crosswalk.

455. Personating an officer. It shall be unlawful for any person to falsely represent himself to be an officer of Salt Lake City, or to attempt to personate an officer of said city, or without authority, to perform any official act for or in behalf of such officer.

456. Petit larceny. Petit larceny is the felonious stealing, taking, carrying, leading or driving away of the personal property of another, when the personal property so taken is of a value not exceeding fifty dollars. It shall be unlawful for any person to commit the offense of petit larceny.

457. **Posting bills without permission.** It shall be unlawful for any person, acting for himself or through an agent, or for such agent, to print, paint, write, mark or in any way post up any notice, card, advertisement or other device upon any tree, post or pole upon any street at any time, or upon any wall, fence, tree, post, pole, building or other property, without the permission of the owner or agent thereof.

458. **Profanity.** It shall be unlawful for any person to profane the name of the Deity.

459. **Prostitutes.** It shall be unlawful for any woman to pursue, or advertise in any manner, her vocation as a prostitute, or to be guilty of prostitution.

460. **Prostitution.** It shall be unlawful for any person within the limits of Salt Lake City to

1. Keep a house of ill-fame resorted to for the purpose of prostitution or lewdness; or wilfully reside in such house; or resort thereto for lewdness; or,

2. Be the owner of any building or tenement, the whole or any part of which is used for any of the purposes mentioned in the first subdivision of this section; or to have control of such building or tenement as agent, guardian or lessee of such owner, or as the agent of such guardian or lessee, after notice of such improper use of such building or tenement, to fail to suppress the same by removing therefrom the occupants thereof; or,

3. To let any building or tenement, knowing that the lessee intends using the same, or any part thereof, for any of the purposes mentioned in the first subdivision of this section; or to harbor or keep about his or her private premises any whoremaster, strumpet or whore, knowing such person to be guilty of following a lewd course of life.

461. **Public library.** It shall be unlawful for any person to mark, tear or in any manner injure, deface, mutilate or destroy any book, pamphlet or other property of the free

public library. It shall be unlawful for any person to fail to return any book, pamphlet or other property of the free public library within five days after the receipt of a notice from the librarian thereof, demanding the return to the library of such property.

462. **Reckless riding or driving.** It shall be unlawful for any person, by riding or driving immoderately or recklessly, to run any horse, mule or other animal at an excessive speed in any of the streets.

463. **Speed of Vehicles.** It shall be unlawful for any person to drive any single or other team or any automobile at a greater speed than four miles an hour over any crosswalk within the district bounded by the north side of South Temple Street, the south side of Fourth South Street, the east side of State Street and the west side of West Temple Street; provided, that this section shall not apply to the fire department, police patrol or hospital ambulances when answering an alarm.

464. **Street cars.** It shall be unlawful for any street car company, or person in charge of, running or operating any street car to run the same over any of the crossings within the district mentioned in Section 463 at a greater speed than four miles an hour.

465. **Smoke emitted from chimneys.** It shall be unlawful for the proprietor, agent, lessee, occupant, engineer or fireman of any building in which a boiler is or may be used for generating steam or electricity, or for any other purpose, to permit or allow smoke to issue or be emitted from the chimney or chimneys of such building, used in connection with such boiler, within the corporate limits of Salt Lake City. Any proprietor, lessee, occupant, engineer or fireman who shall violate any of the provisions of this section shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of not less than five dol-

lars, nor more than fifty dollars; provided, however, that the penalty herein provided shall not apply in any case where the fireman, engineer, owner, lessee or occupant has supplied such building with and shall have in use a sufficient device for the consumption or prevention of smoke; and provided further, that this section shall be held to apply to such buildings in which may be used or operated a boiler or boilers which either singly or in batteries are of the capacity of ten horse power or over, and provided further, that it shall not be held to apply to ten horse power boilers used only for heating purposes.

466. **Riot.** Any use of force or violence, disturbing the public peace, or any threat to use such force or violence, by two or more persons acting together and without authority of law, if accompanied by immediate power of execution, is a riot. It shall be unlawful for any person to participate in any riot.

467. **Sunday. Keeping open certain places prohibited.** It shall be unlawful for any person to keep open on Sunday any store, workshop, bar, saloon, banking house or other place of business for the purpose of transacting business therein. The foregoing provisions do not apply to persons who, on Sunday keep open hotels, boarding houses, baths, restaurants, livery stables, or retail candy, cigar or drug stores for the legitimate business of each, or such manufacturing establishments as are usually kept in continual operation.

468. **Swindling.** It shall be unlawful for any person to practice any game, trick or device with intent to swindle another within the limits of Salt Lake City.

469. **Trespass.** It shall be unlawful for any person to take down any fence, or to let down any bars, or to open any gate so as to expose any enclosure, or to ride, drive, walk, lodge, camp or sleep on the premises of another without the permission of the owner or occupant thereof.

470. Vagrancy. Every person, except an Indian, without visible means of living, who has the physical ability to work, and who does not for the period of ten days seek employment, nor labor when employment is offered him ;

Every healthy beggar who solicits alms as a business ;

Every person who roams about from place to place without any lawful business ;

Every idle or dissolute person, or associate of known thieves, who wanders about the streets at late or unusual hours of the night, or who lodges in any barn, shed, shop, outhouse, vessel, or place other than such as is kept for lodging purposes, without the permission of the owner or party entitled to the possession thereof ;

Every lewd and dissolute person, who lives in and about houses of ill-fame, and every common prostitute and common drunkard, is a vagrant.

It shall be unlawful for any person to be a vagrant within the limits of Salt Lake City.

471. Penalty. Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than two hundred and ninety-nine dollars or by imprisonment for not more than six months or by both such fine and imprisonment.

CHAPTER XXX.

MUNICIPAL WARDS.

472. Division and number of wards. The territory embraced within the corporate limits of Salt Lake City shall be, and the same is hereby divided into five municipal wards, bounded and described as herein set forth:

First Municipal Ward. All that portion of the city lying south of the center line of Third South Street east of the center line of East Temple Street.

Second Municipal Ward. All that portion of the city lying south of the center line of South Temple Street west of the center line of East Temple Street.

Third Municipal Ward. All that portion of the city lying north of the center line of South Temple Street west of the following described line: Beginning at the intersection of South Temple and East Temple Streets, thence north along East Temple Street to the intersection of Second North Street; thence east on a line through the center of Second North Street to the center of the bed of City Creek; thence north to the northern boundary of the city.

Fourth Municipal Ward. All that portion of the city lying north of the center line of South Temple Street east of the following described line: Beginning at the intersection of South Temple and East Temple Streets; thence north along East Temple Street to the intersection of Second North Street; thence east on a line through the center of Second North Street to the center of the bed of City Creek; thence north to the northern boundary of the city.

Fifth Municipal Ward. All that portion of the city lying between the center lines of South Temple and Third South Streets east of the center line of East Temple Street.

CHAPTER XXXI.

NUISANCES.

473. **Slaughter house, market, meat shop.** It shall be unlawful for the owner or occupant of any slaughter house, market, meat shop, or other place wherein any animals are slaughtered, kept or sold, to permit the said premises or yard connected therewith to remain unclean to the annoyance of three or more persons, or in any state or condition detrimental to the health of three or more persons.

474. **Unclean drain or garbage receptacle.** It shall be unlawful for any person to cause or permit, any unclean, stinking, foul, defective or filthy drain, ditch, tank or gutter, or any leaking or broken sloop, garbage or manure box, or receptacle of similar character to remain on his premises.

475. **Refuse. Accumulation.** It shall be unlawful for any person to permit vegetable waste, litter, garbage, filth or refuse of any nature, kind or description, detrimental to health to accumulate within or upon any private alley, yard or area except the same is temporarily deposited for removal.

476. **Accumulation of manure in stable prohibited.** It shall be unlawful for any person having charge of any stable, stall, shed, apartment or yard in which any animal shall be kept, or in any place within the limits of Salt Lake City in which manure or liquid discharges of any animal shall accumulate or collect, to permit such stable, stall, shed, apartment or yard to be kept in an unclean or unsanitary condition.

477. **Dirt, waste, rags, casks.** Whenever there shall be found in or about any lot or piece of ground any dirt gathered in cleaning yards, waste of mills or factories, or any rags, damaged merchandise, wet, broken or leaking barrels,

casks or boxes, or any materials which are offensive or tend to decay, to become putrid, or to render the atmosphere impure or unwholesome, the same shall be deemed a nuisance, and it shall be unlawful for any person occupying or owning such premises to fail to abate the same.

478. **Bone crushing, glue making, etc.** The business of bone crushing, bone boiling, fat boiling, gut cleaning, or the making of glue, or the manufacture of fertilizing material from any dead animal, or part thereof, or any boiling of offal, swill, fat or grease, which shall be done or carried on in an offensive, unclean or defective manner in any building, yard or lot of ground within the limits of Salt Lake City, shall be deemed a nuisance, and it shall be unlawful for the owner or manager of any such business to fail to abate the same.

479. **Soap, candle, oil, glue factory.** It shall be unlawful for the owner or occupant of any soap factory, candle factory, glue factory, pork house, lard house or laundry to permit the same to remain unclean, or to conduct his business to the annoyance of three or more persons.

480. **Offensive liquid or refuse.** It shall be unlawful for the owner or occupant of any distillery, brewery, tannery, hide house, pork house, laundry, fish house, soap factory or any yard, dwelling, store or factory, or any yard or enclosure of any kind whatsoever, to place, conduct or discharge into or on any street, alley, sidewalk, gutter, water ditch or canal, or any vacant lot, any filthy or offensive water, liquid waste, refuse or discharge of any kind which is offensive or liable to become so.

481. **Brewery, tannery, barn.** It shall be unlawful for the owner or occupant of any brewery, distillery, tannery, livery stable, barn, laundry or factory of any kind, place or premises, to permit the same to become noisome, foul or offensive.

482. **Dead animals.** It shall be unlawful for the owner

of any animal that shall die or be killed within the limits of Salt Lake City to fail to remove the carcass of such animal to the city crematory within three hours after its death.

483. Unsound food or offensive matter. It shall be unlawful for any person to throw, place or conduct into or upon any street, alley, lot, or into any aqueduct, ditch, gutter or canal, any putrid or unsound meat, fish, hides or skins of any kind, or filth, offal, dead animals, vegetables, or any unsound or offensive matter whatsoever; provided, however, that this section shall not apply to the spreading of manure upon land for the purpose of fertilizing the soil.

484. Putrid fat, waste paper, old clothes. It shall be unlawful for any person to keep, collect or use or permit to be kept, collected or used in any manner detrimental to health, any stale, putrid or noisome fat, grease or other offensive matter, or to throw or place in or on any street, alley, sidewalk, gutter, ditch, aqueduct, canal or vacant lot, any waste material.

485. Acts and omissions deemed a nuisance. Every act or thing done or made, permitted, allowed or continued, in violation of the preceding sections of this chapter, shall be deemed a nuisance.

486. Health commissioner to abate. In case of neglect or refusal of any person to abate any nuisance defined by this chapter, after notice in writing has been served upon him, as provided in Section 487, and within the time in said notice specified, it is hereby made the duty of the health commissioner to abate or procure the abatement thereof, and the expense of such abatement shall be collected from the person so offending.

487. "Author of nuisance" defined. Where a nuisance exists upon property, and is the outgrowth of the usual, natural or necessary use of the property, the landlord thereof, or his agent, the tenant, or his agent, and all other persons

having control of the property on which such nuisance exists, shall be deemed to be the authors thereof, and shall be equally liable therefor; but where any such nuisance shall arise from the unusual or unnecessary use to which such property may be put, or from business thereon conducted, then the occupants, and all other persons contributing to the continuance of such nuisance, shall be deemed the authors thereof.

488. Notice to abate nuisance. In order to better carry out the provisions of this chapter, the health commissioner may serve a notice in writing upon the owner, occupant or agent of any lot, building or premises in or upon which any nuisance may be found, or upon him who may be the cause of such nuisance, requiring him to abate the same in such manner as the health commissioner may direct, and within a reasonable time to be fixed in the notice; and failure to give a notice as provided herein shall not relieve the author of any nuisance from the obligation to abate such nuisance, or from the penalty provided for the maintenance thereof.

489. Duty and power of the health commissioner. It shall be the duty of the health commissioner to ascertain and cause all nuisances declared to be such in this chapter to be abated, and he shall have authority, either by himself or by his agents or deputies, in the day time, to enter any house, stable, store or any building, in order to make a thorough examination of cellars, vaults, sinks or drains; to enter upon all lots and grounds and cause all stagnant waters to be drained off, and pools, sinks, vaults, drains, holes or low grounds to be cleansed, filled up or otherwise purified, and to cause all noisome substances to be abated or removed.

490. Penalty. Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than one hundred dollars, or by imprisonment in the city jail not more than one hundred days, or by both such fine and imprisonment.

CHAPTER XXXII.

OFFICIAL BONDS AND OATHS.

491. **Bonds.** All elective and appointive officers of the municipality, and all deputies and assistants clothed with power to act on behalf of their principal, in the absence of the principal, shall, before assuming the duties of office, file with the city recorder an official bond; and unless otherwise specially provided by ordinance, such bond shall be in the sum of one thousand dollars.

492. **Sureties.** Official bonds must be signed by the principal and one corporate surety or two or more individual sureties, who must be residents and householders in Salt Lake City, and who must qualify as worth the amount in the bond specified. In case individual sureties are furnished, each individual may qualify in less than the amount of bond, provided, that the amount of the combined qualifications of sureties shall be twice the amount of the bond.

493. **Approval.** Before any officer of the municipality except the mayor, shall be entitled to assume the duties of his office, his bond and the sureties thereon must be approved by the mayor. The bond of the mayor must be approved by the city council.

494. **Form.** Official bonds shall be substantially in the following form:

Know all men by these presents, That we, _____, of Salt Lake City, as principal, and _____, and _____, as sureties are jointly held and firmly bound unto Salt Lake City, a municipal corporation, in the full and just sum of _____ dollars, for the payment of which well and truly to be made we hereby bind ourselves, our heirs, executors, administrators, successors and assigns jointly and severally by these presents.

In witness whereof, we have hereunto set our hands at Salt Lake City this — day of —, 19—.

The condition of the above obligation, however, is such that whereas the above bounden — was, on the — day of —, 19—, duly elected (or appointed) to the office of —, and is about to assume the duties of such office,

Now therefore, If the said — shall well and faithfully perform all the duties of his said office, and render a true and just account thereof during the term for which he is elected or appointed, or during which he shall occupy said office, and shall well, truly and faithfully turn over and account to his successor in office for all books, accounts, papers, money and other property of whatsoever name or nature belonging to Salt Lake City, and in his possession by virtue of his office, and shall well and faithfully perform the duties of his office in accordance with law and the ordinances, then and in that case, this obligation to be null and void, otherwise to remain in full force and effect.

State of Utah,
 County of Salt Lake.

_____ and _____, the sureties on the above and foregoing official bond of _____ as _____ of Salt Lake City, being first duly sworn, each for himself says, that he is a resident and householder in Salt Lake City, worth the amount in said bond specified, to-wit, _____ dollars over and above all his just debts and liabilities, and exclusive of property exempt from execution.

Subscribed and sworn to before me this — day of _____ 19—.

Notary Public.

495. New bond. In case of the death or insolvency of any surety upon an official bond during the incumbency of the principal in said bond, the said principal shall immediately execute, deliver and file a new bond, and in the event of his failure so to do, within ten days after notice from the mayor or from the city council of a demand for such new bond, his office shall be deemed to be vacant, and the proper appointing power may proceed to fill said vacancy in manner conformable to law and ordinance.

496. Oaths. All elective and appointive officers and all deputies and assistants shall, before assuming the duties of office take and subscribe the constitutional oath of office. All such oaths shall be filed in the office of the recorder.

CHAPTER XXXIII.

PARKS.

497. **Parkkeeper. Appointment.** The mayor shall have the power to appoint, during the term for which he is elected, subject to confirmation by the council, a competent person to the position of park-keeper, who shall hold office until the Monday next succeeding the expiration of the term of the appointing power, and until his successor is appointed and qualified.

498. **Oath. Bond. Compensation.** The parkkeeper shall, before assuming the duties of his office, take and subscribe the constitutional oath of office, and furnish a bond to the city in the sum of one thousand dollars. The salary of the parkkeeper is hereby fixed at nine hundred and sixty dollars per annum, which shall be paid monthly as are the salaries of other city officers.

499. **Duties.** It shall be the duty of the parkkeeper to take charge of, control, manage and beautify, under the direction of the city council, all city parks now existing, or which may hereafter be dedicated as such, including all buildings, improvements and city property situated therein, unless otherwise specially provided by ordinance.

500. **Assistants.** The parkkeeper shall employ such assistants, at such compensation as the city council may from time to time direct.

CHAPTER XXXIV.

PAWNBROKERS.

501. **Defined.** Any person within the City of Salt Lake who loans money on deposit of personal property, or deals in the purchase or possession of personal property on condition of selling the same back again to the pledgor or depositor, or who loans or advances money on personal property by taking chattel mortgage security thereon, and takes or receives such personal property into his possession, is hereby declared to be a pawnbroker.

502. **Ordinances posted.** It shall be unlawful for any person to conduct or transact a pawnbroking business unless he shall keep posted in a conspicuous place in his place of business a copy of all ordinances relating to pawnbrokers.

503. **Right to redeem forfeited articles.** It shall be unlawful, in all cases in which articles pledged have been forfeited, for a sale or other disposition thereof to be made by the pledgee within the period of three months after such forfeiture; during such time the pledgor shall have the first right to redeem such articles at no greater advance than ten per cent upon the amount due when the forfeiture occurred.

• 504. **Pawnbroker shall keep descriptive book.** It shall be unlawful for any pawnbroker to fail to keep a book in which shall be fairly written in ink, in the English language, at the time of each loan or receipt of personal property, an accurate account and description of the goods, articles or thing pawned or received, the amount of money loaned or advanced thereon, the time, both day and hour, of pawning or receiving such goods, article or thing, and the name and residence of the person pawning or delivering the said goods, article or thing; and no entry made in said book shall be erased, obliterated or defaced, and the said book, as well as

every article or thing pawned, pledged or deposited shall at all reasonable times be open to the inspection of any police officer.

505. Report to chief of police. It shall be unlawful for any pawnbroker to fail to make out and deliver to the chief of police once each week, a legible and accurate copy from the record required to be kept by Section 504.

506. Dealing with drunkards, thieves, insane or minors. It shall be unlawful for any pawnbroker to receive any goods, articles or things in pawn or pledge from a person who is intoxicated or known to be an habitual drunkard, a thief or an insane person, or a person under the age of twenty-one years.

507. Employees. It shall be unlawful for any pawnbroker to employ any clerk or person under the age of sixteen years, to receive any pledge or make any loan.

508. Hours. It shall be unlawful for any pawnbroker to receive any goods by way of pawn or pledge before the hour of seven o'clock in the morning, or after nine o'clock in the evening, or on Sunday.

509. Liability of principal. The holder of a pawnbroker's license is liable for any and all acts of his employees, and for any violation by them of any of the provisions of this chapter.

510. Penalty. Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than one hundred dollars, or by imprisonment in the city jail not more than one hundred days, or by both such fine and imprisonment.

CHAPTER XXXV.

PLUMBING.

511. Inspector of plumbing. Appointment. Compensation. The mayor shall have the power to appoint during the term for which he is elected, subject to confirmation by the city council, a competent person who shall be a practical plumber, to the office of inspector of plumbing, who shall hold office until the Monday next succeeding the expiration of the term of office of the appointing power. And until his successor is appointed and qualified. The compensation of the inspector of plumbing is hereby fixed at thirteen hundred and eighty dollars per annum, which shall be in full for all services rendered the city and which shall be paid monthly as are the salaries of other city officers.

512. Oath. Bond. The inspector of plumbing shall, before assuming the duties of his office, take and subscribe the constitutional oath of office and furnish a bond to the city in the sum of one thousand dollars.

513. Duties. The inspector of plumbing shall perform all of the duties usually and ordinarily required of such an official, including the inspection of all drain pipes connecting with the public sewer system and the installation of all plumbing within the corporate limits of Salt Lake City. He shall perform such other duties as are or may be prescribed or contemplated by ordinance.

514. Powers. The inspector of plumbing shall have power in the performance of his official duties to examine any building in which plumbing fixtures are installed and to condemn and order removed any plumbing found defective or unsanitary and not in compliance with the provisions of this chapter. When, upon examination, any plumbing or connec-

tions thereto in any building or other structure, shall be adjudged dangerous to life or health, the inspector of plumbing shall immediately notify the owner of such building or structure or his agent or the occupant thereof to have the same removed or repaired within ten days thereafter, and if the owner, agent or occupant fails so to do, he shall be deemed guilty of a misdemeanor.

515. Fees. For each permit to do plumbing work, the inspector of plumbing shall collect a fee of one dollar which shall be by him covered into the city treasury.

516. Permits. Revocation. No permit for plumbing work shall be issued by the inspector of plumbing to any person other than a licensed plumber; and the inspector may at any time revoke a permit for defective work or other cause.

517. Plumbing Rules. The discretion of the inspector of plumbing in approving or accepting work as provided in this chapter shall be limited by the following rules, and it shall be unlawful for any person to construct any plumbing work in any manner not in accordance with such rules, viz:

Rule "A"—Every building in which plumbing arrangements are constructed shall be separately and independently connected with the city sewer, where such sewer is provided, and when it is not provided, with a cesspool in a location and with a capacity to be approved by the board of health; and every plumber before doing any plumbing work on a building, or before any additions are made to old work, excepting repairs (and repairs are defined to consist of mending leaks in drain, soil, waste and vent pipes, and repairs on faucets, valves and water-supply pipes and of forcing-out waste pipes, or replacing a water closet bowl or opening soil or waste pipes to remove an obstruction,) and a written permit to do the work issued by said plumbing inspector; *provided*, that in buildings which are condemned by the board of health or plumbing inspector because of unsanitary condition, no plumbing shall be considered as coming under the head of repairs, but

all plumbing shall be done as in the case of new buildings. All work shall be subject to inspection.

Under no circumstances shall any mechanic doing the work of plumbing or house draining, or any employee of such mechanic, act as the agent of the inspector of plumbing to perform the duties prescribed in this ordinance.

Rule "B"—All pipes from the sewer to the top of the soil pipe, which must be carried to a point at least eighteen inches through the roof, shall be fully four inches in interior diameter at every point, and no vent pipe shall terminate nearer than twelve feet to any door or window opening.

Rule "C"—No trap or any manner of obstruction to the free flow of air through the whole course of the drain and soil pipe shall be allowed, and any plumber who shall, directly or indirectly, place or make any trap, contraction or other obstacles anywhere in the course of such drain or soil pipe, shall, in addition to the penalty herein prescribed, forfeit his license, and shall be ineligible to relicense for one year. Any other person violating this rule shall be subject to the penalties of this chapter and shall in addition pay the cost of rectifying the wrong done.

Rule "D"—Every sink, urinal, water closet, bath-tub, basin, safe or other fixtures shall be separately trapped as near the fixtures as possible, and all flow from kitchen sinks, or any greasy flow whatever, shall be caused to pass through a suitable grease trap, approved by the inspector of plumbing.

Rule "E"—All plumbing fixtures must be of a kind and quality to be approved by the inspector of plumbing.

Rule "F"—The discretion of the inspector of plumbing in approving and accepting work, shall be limited by the following requirements, viz:

First—No wash out or wash down siphon water closet shall be allowed in any building. Hopper closets may be used as anti-freezing closets, but only when installed in separate buildings and with brick vaults at least three feet deep.

Second—No water-closet shall be set up in any house or building in which the walls of the closet are not fully and freely washed by the normal discharge of the closet at each opera-

tion; nor shall any hopper closet be set up which has a trap with less than one and three-quarters inches seal.

Third—Every trap which is so situated as to be subject to siphonage by momentum or suction shall be of a kind that cannot have its seal broken by siphonage, and shall be vented.

Fourth—All soil pipes and fittings, (unless otherwise provided in this chapter), shall be of cast iron of the grade known to commerce as extra heavy and shall be of the following weights per linear foot: 2-inch, 5 1-2 pounds per foot, 4-inch, 13 pounds per foot, 5-inch, 17 pounds per foot, 6-inch, 20 pounds per foot, and shall be carried full size up through the house and at least 11 inches through the roof and lift without cap or bend. Standard soil pipe may be used above a vent tee in the stack, or above a sanitary tee if no vent tee is used.

Fifth—No fixture shall be trapped by having its outlet connected with the trap of another fixture.

Sixth—No connection shall be made at any part of the house drainage system, with roof gutters or any other channel for the conveyance of rain water, save that plumbing fixtures may be supplied from tanks constructed to store rain water for such purpose.

Seventh—All pipes must be as direct as possible, and shall be so arranged that they may at all times be readily examined and repaired. Before the fixtures are placed the whole system of drain, soil, waste and vent pipes shall be hermetically sealed; the pipes shall then be filled with water to the top, and every joint shall be examined for leakage, and all leaks shall be securely closed; except that in case of inspection of plumbing already existing, the peppermint or smoke test may be substituted by the inspector of plumbing.

Eighth—The joints of all pipes, except where screw joints are used, shall be made with an oakum gasket and soft lead, thoroughly calked.

Nine—All vent pipes and fittings shall be of galvanized iron or of cast iron, and, if of cast iron, it shall be of the grade known to commerce as extra heavy, and shall be of the following weights per linear foot; all cast iron used for vents must be extra heavy up to the top fixture. 2 inches, 5 1-2 pounds per

foot, 3 inches, 9 1-2 pounds per foot, 4 inches, 13 pounds per foot, and all fittings used with such pipe shall correspond with it in weight and quality, and all cast iron pipe and fittings shall be coated inside and outside with coal pitch varnish.

Tenth—The drain pipe shall not be laid below the cellar floor, except it be absolutely necessary. It should be fastened along the cellar wall or hung from the floor timbers, and given a grade of at least one in sixty, and more if possible.

Eleventh—All changes in the direction of the drain shall be made with curved pipes, and all connections with Y's, branches and one-eighth bends and sanitary tees. Offset fittings may be used, but no offset shall be over six inches. If any offset is over six inches one-eighth bends must be used.

Twelfth—Waste pipes from safes, refrigerators, beer pumps, water tanks and other similar fixtures or from receptacles in which provisions are stored, shall not be connected directly to the drainage system, but shall discharge into an open sink or tray, which shall be in plain sight. This sink or tray may connect with the drain pipes, upon being properly trapped like other fixture.

Thirteenth—All connections of lead pipes shall be made with wiped joints.

Fourteenth—All connections of lead with iron pipe shall be made with a brass sleeve or ferrule, the sleeve to be thoroughly calked into the hub of the iron pipe with lead and the lead pipe be attached to the sleeve by a wiped joint.

Fifteenth—Water-closets shall not be flushed by direct service, but by means of a special tank, except outdoor, anti-freezing water-closets.

Sixteenth—Waste pipes and traps shall in all cases be of lead, cast iron or brass and of the following sizes for each of the following named fixtures:

Bath tub, 1 1-2 inches.

Sink, 1 1-2 inches.

Laundry tub, 1 1-2 inches.

Urinal, 1 1-2 inches.

Wash basin, 1 1-4 inches.

Slop hopper, 2 inches.

Seventeenth—The vent pipe from each fixture shall in all cases be of the same size as the trap from the same fixture; *provided*, that when more than one fixture shall be vented through the same pipe, the size of such pipe shall be as follows:

For more than one and not to exceed two basins 1 1-4 inch pipe. For more than two and not to exceed six basins 1 1-2 inch pipe. For more than six and not to exceed twenty basins 2 inch pipe. For more than twenty basins 2 1-2 inch pipe.

For more than one and not to exceed three fixtures, 1 1-2 inches.

For more than three and not to exceed five fixtures, 2 inches.

For more than five and not to exceed ten fixtures, 2 1-2 inches.

For more than ten and not to exceed twenty fixtures, 3 inches.

Siphon jet water-closets located within seven feet of the stack need not be vented.

When closets are located more than seven feet and not to exceed fifteen feet from the main soil pipe a two inch vent pipe shall be continued from the end of said soil pipe and continued as provided by the rules governing vents.

Eighteenth—Vent pipes from water-closet traps shall not in any case be less than two inches in diameter; and where more than one closet is vented through the same pipe, the size of such pipe shall be as follows:

For one and not to exceed three closets 2 inches.

For more than three and not to exceed six closets, 2 1-2 inches.

For more than six and not to exceed twelve closets, 3 inches.

A water-closet, bath tub, and wash basin may all be ventilated through the same pipe, but in all such cases the two-inch vent pipe which is common to such fixtures shall not exceed thirty feet in length. And the same rule shall apply in

cases where a water-closet and either a bath tub or a wash basin are vented through the same pipe.

Nineteenth—All vent pipes which are more than thirty feet in length shall be increased one size in diameter for each additional forty feet in length.

Twentieth—In no case shall more than two lavatories be drained or vented through a 1 1/4-inch pipe, nor shall any waste pipe of 1 1/4-inches diameter exceed twenty feet in length.

Twenty-first—Trap vents from two or more fixtures must be connected at least six inches above the top of the fixtures, and a trap screw of the same diameter as the vent, wiped into it and not more than six inches above the connection with the trap, and ground joint solder unions are allowed.

Twenty-second—All pipes are to be so arranged that they may be easily examined and repaired.

Twenty-third—All exit pipes from plumbing fixtures, except the soil pipes from the water-closets, shall be provided with strong metallic strainers securely fastened. Double hubs are prohibited in all cast iron soil and waste pipes, except above the vent tee, or in clean-outs in the sewer. Wooden wash-trays and wooden sinks are prohibited inside of buildings, except in hotels and restaurants such fixtures shall in all cases be of non-absorbent material.

Twenty-fourth—Waste pipes from bath tubs shall be connected to drum traps or brass traps above the floor. Drum traps shall have trap screws not less than four inches in diameter with a vent attached, and shall be put as close to the bath tub as is practical and accessible.

Twenty-fifth—In no case shall any vent or soil pipe be run on the outside of any building without a special permit from the inspector of plumbing.

Twenty-sixth—In no case shall any fixture be allowed to discharged into the trap of any water closet.

518. Drainage rules. In all drain pipes laid within the property lines and in all horizontal soil pipes which are four inches or more in diameter, there shall be placed every sixty

feet apart, throughout their entire length, Y branches with brass cleanout screws, which shall be put in as follows:

First—In buildings having basements and which are built upon or near the property or street line, and where the pipe is exposed, the Y cleanouts shall be used. And where the pipe is buried below the basement floor, then Y branches and screws shall be used and placed so that the screws shall come flush with the basement floor. In buildings similarly situated, but having no basement, Y branches and screws shall be used, placed so that the screws shall be flush with the lower floors of such buildings.

Second—When buildings are located back from the property or street lines, Y branches and screws shall be placed five feet inside of the property or street line, and also every sixty feet apart along the whole length of the pipe between the initial Y branch and the building, and all of such Y branches shall extend up to and be finished so that the cleanout screws shall be flush with the surface of the ground.

Third—When buildings are drained into cesspools, the same rules shall be followed in the matter of cleanouts as hereinabove prescribed, except that the initial cleanout shall be located immediately within the foundation walls. It shall be unlawful to lay or to construct any drain pipe or horizontal soil pipe in any manner not in accordance with this section.

519. Exhaust from steam engines, etc. It shall be unlawful to connect directly with the public sewer any privy vault, cesspool, exhaust from any steam engine or blow off from any steam boiler.

520. Final inspection and approval. Upon the completion of any work done under a permit issued by authority of this chapter, the drain-layer or plumber to whom such permit was issued shall give written notice thereof to the inspector of plumbing, and thereupon the inspector shall make a final examination of the whole work, and if found to comply with the requirements of this chapter he shall approve the same and shall issue a certificate therefor, and he shall immediately thereafter

endorse upon the application upon which the permit for the work was issued, the date of such final inspection and approval. All such applications shall be kept on file in the office of the inspector of plumbing.

521. Penalty. Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine in any sum not less than five dollars, or more than one hundred dollars, or by imprisonment in the city jail for a period not exceeding one hundred days, or by both such fine and imprisonment. Every twenty-four hours or fraction thereof, in which any person violating any of the provisions of this chapter shall continue so in violation hereof after notice of such violation, from any city officer, shall constitute a separate and distinct offense, and be punishable as such.

CHAPTER XXXVI.

POLICE DEPARTMENT.

522. **How constituted.** The Police Department of Salt Lake City is hereby reorganized, and shall hereafter consist of the following officers, men, employees and agents, whose duties and compensation shall be as hereinafter fixed:

One head of the department, who shall be known as chief of police,

Three desk sergeants,

Thirty-seven policemen,

One assistant jailer,

One matron.

The chief of police shall be ex-officio jailer, and have charge of the city jail. He shall receive and safely keep all prisoners properly committed to his custody. He shall file and preserve every warrant of commitment, and keep a record, in a book provided for that purpose, of all persons committed to the city jail, showing the date of arrest, offense charged, term of commitment and the prisoner's name, age, place of birth and date of release.

523. **Chief.** The mayor, with the consent of the city council, shall appoint a competent person to act as chief of police, and the mayor, with the consent of the city council, or the council with the approval of the mayor, may, at any time, remove such chief of police without cause, without charges being preferred, and without a trial, hearing or opportunity to be heard, whenever, in their opinion, the good of the service will be subserved thereby, and the action of the mayor and city council in making such removal shall be final and conclusive. The city recorder shall forthwith notify the chief of police in writing of his removal, and from the time of such notification the person so removed shall in no case be entitled to any salary or compensation whatever.

524. Oath. Bond. The chief of police and ex-officio jailer shall, before assuming the duties of his office, take and subscribe the constitutional oath of office, and furnish a bond to the city in the sum of five thousand dollars.

525. Subordinates. The chief of police shall, by and with the advice and consent of the city council, and approval of the mayor, appoint three desk sergeants, thirty-seven policemen, one assistant jailer, one matron, and all other men and employees in the police department, and in like manner fill all vacancies. The mayor or chief of police, with the consent of the council, may, at any time remove any subordinate employee, man or agent without charges being preferred and without a trial, hearing or opportunity to be heard, whenever, in his opinion, the good of the service will be subserved thereby, and such removal shall be final and conclusive. The city recorder shall forthwith notify in writing the removed person of such removal; it shall not be necessary to state any cause therefor, and from the time of notification, the person so removed shall in no case be entitled to any salary or compensation whatever.

526. Assignment to duty. The chief of police shall designate by notice in writing, filed with the city recorder, and a duplicate thereof filed with the city auditor, one policeman to act as captain of police, two policemen to act as city detectives, one policeman to act as first duty sergeant, one policeman to act as second duty sergeant, one policeman to act as third duty sergeant, one policeman to act as bicycle policeman, one policeman to act as mounted policeman, two policemen to act as mounted policemen in the residence districts between the hours of six p. m. and two a. m., two policemen to act as patrol drivers, two policemen to act as depot policemen, two policemen to act as prison guards, and twenty-one policemen to act as patrolmen. Whenever any change shall occur in the police department by death, resignation, removal, transfer, promotion or reduction, the chief of police shall, in like manner fill all vacancies from among the existing force, or

from appointments, as in his judgment he shall deem best for the good of the service.

527. Transfers and promotions. The chief of police shall have power at any time to transfer any policeman from one service to another, to promote any member of the department to any position of greater authority, or larger salary, or, in like manner to reduce any policeman from any subordinate office to a lesser office, or to an office of lesser salary, or to reduce any such subordinate officer to the ranks, or to transfer any member of the department, except desk sergeant, matron and assistant jailer from one position to another in the department, as in his discretion shall be best for the good of the service, by notifying the individual affected by any such change, and by filing a written designation of the change with the city recorder and the city auditor; provided, that any member of the department holding any position therein above the rank of patrolman by appointment prior to June second, 1902, shall not be reduced below such position while he shall remain in the department.

528. Suspension. The chief of police may, at any time, when, in his judgment, the good of the service demands it, suspend any subordinate officer, employee, man or agent in the police department, for a period of not exceeding fifteen days, and during the time of such suspension the person or persons so suspended shall not be entitled to any salary or compensation whatever. Whenever the chief of police shall suspend any subordinate officer, employee, man or agent in the department, he shall immediately report such suspension in writing to the city council.

529. Rules. The chief of police shall make and adopt such reasonable rules and regulations for the government of the department, and the uniforms of the officers, employees, men and agents connected therewith, as, in his judgment, shall be necessary and most appropriate for the good of the service.

530. **Special police.** The chief of police, with the advice and consent of the city council, and approval of the mayor, may at any time appoint special policemen to serve without pay from the city.

531 **Ranking officer.** In the absence of the chief of police, the captain of police shall perform the duties of chief, and in the absence of the captain of police, his duties shall devolve upon the ranking sergeant.

532. **Mounted police.** Mounted policemen must provide their own horses, horse equipment and horse feed at their own expense, under the direction and subject to the approval of the chief of police.

533. **Salaries.** The officers, employees, men and agents of the police department shall receive yearly salaries, payable monthly as are the salaries of other city officers in amounts as follows:

Chief of police and ex-officio jailer	\$2100.00
City detectives, each	1260.00
Captain of police	1320.00
Duty sergeants, each	1080.00
Mounted policemen, each	1080.00
Desk sergeants, each	1020.00
All other policemen except bicycle policemen, each ..	1020.00
Bicycle policemen, each	1050.00
Assistant jailer	1020.00
Prison guards	1020 00
Matron	264 00

534. **Saving clause.** Nothing in this chapter shall be construed to operate as a removal of any member of the police department as constituted on June second, 1902, but all officers and men then and now remaining in the department, shall continue to hold under existing appointments until removed as in this chapter provided, except that hereafter all men save desk sergeants and duty sergeants permanently appointed as such, shall hold simply as policemen until otherwise designated by the chief of police.

CHAPTER XXXVII.

POLL TAX.

535. Amount. Who liable to pay. Two days' work of eight hours each, or in lieu thereof three dollars lawful money, is an annual road poll tax upon every man over twenty-one and under fifty years of age, who is not physically incapacitated to work and not exempted by law, residing within Salt Lake City.

536. How used. Said poll tax shall be collected under the regulations hereinafter provided, and shall be used by said city for repairing and improving its streets and alleys and for the maintenance and care of the gutters upon said streets. All labor shall be performed under the direction of the supervisor of streets for Salt Lake City.

537. List of tax payers. Said supervisor of streets shall, between the first day of January and the 30th day of November in each year, ascertain and list the names of all persons within the corporate limits of said city, who are liable to pay poll tax, as provided in section 535. He shall enter said names in a suitable register in alphabetical order, and in suitable columns opposite each name, he shall enter the address of the tax payer, date of notice, number of notice, date of payment, kind of pay received, number of receipt issued, where and by whom worked, under what foreman, and a column for "remarks," in which shall be entered the final disposition of the tax if not paid in cash or labor.

538. Notice to work. The supervisor of streets shall, between the first day of January and the thirtieth day of November of each year, deliver to each person liable to pay poll tax, or leave at his residence or usual place of business, which shall be equivalent to personal service, a written or printed

notice, citing him to appear at such time and place as may be designated in said notice, with appropriate tools for the kind of work to be performed, giving each person not less than two days' notice of such requirement; and all persons so notified must meet said supervisor of streets at such time and place, with such tools and implements as he may direct, and labor diligently under his direction for eight hours each day, and for such two days' labor the supervisor shall give to him a receipt which shall exempt him from payment of road poll tax within Salt Lake City for the same year. Said certificate or receipt shall show the amount of money earned by such labor, which shall be evidence of the payment of such tax in the amount specified in the receipt.

Any person liable for the payment of poll tax may provide a suitable substitute to perform the labor required by this ordinance, but no person under the age of eighteen years shall act as such substitute. When a team shall be used by any person in performing poll tax labor, he shall be allowed a reasonable sum, to be applied on his poll tax, for the use of the same. The supervisor of streets is authorized to employ team labor at the usual rate per day paid by Salt Lake City Corporation for such labor whenever, in his judgment, he shall consider it necessary so to do, for the purpose of using poll tax hand labor to advantage.

539. Delinquent tax payable in money. Each person subject to pay poll tax who fails to report, either in person or by satisfactory substitute, at the time and place directed, with the tools or implements required, having had two days' notice thereof, or, appearing, shall spend his time in idleness or fail to work according to the direction of the supervisor of streets, or who shall fail to pay said tax in money or shall fail to furnish said supervisor of streets, within ten days after notice some satisfactory excuse for not attending, shall be delinquent, and the person so liable shall thereafter be required to pay such tax in money, which shall be collected by action in the name of the city, and no property or wages belonging to such person shall be exempt from execution on judgment so recovered.

Should an indemnifying bond be necessary for the protection of any officer executing the judgment in any delinquent poll tax proceeding, the city attorney shall, at the expense of the city, procure such bond.

540. Money to be paid to treasurer. The supervisor of streets is hereby authorized to receive at his office, cash payment of poll tax from any person tendering the same, and he shall pay over all money so collected to the city treasurer on or before the fifth day of each month. He shall keep stub receipt books, issue all receipts therefrom and deliver to each person making payment of tax a receipt therefor. The receipts and stubs shall each show whether the tax was paid in cash or labor, and if paid in both, what portion of each. The stubs of said receipt books shall be examined and audited monthly by the city auditor.

541. Annual report to council. On or before the 31st day of January in each year, the supervisor of streets shall deliver to the city auditor the register provided for in section 537, with a written report containing a summary of the facts shown therein. Said register and report shall be certified to by the supervisor of streets and audited and certified to by the city auditor, after which it shall be kept on file in the office of the street supervisor. A duplicate of said report shall be submitted by the supervisor of streets to the city council not later than the 31st day of January in each year.

CHAPTER XXXVIII.

PRISONERS AND CITY PRISON.

542. **Commitment until fine paid.** In any case where a party is sentenced to pay a fine, or fine and costs, under an ordinance of Salt Lake City, the court may direct that he stand committed until the fine or the fine and costs are paid, not to exceed one day for each dollar of fine and costs.

543. **Jailer to adopt rules. Record.** It shall be the duty of the city jailer to formulate a system of prison rules, and to keep a record in which he shall enter a statement of every infraction thereof committed by any person confined therein.

544. **Reduction of sentence for good behavior.** Every person undergoing sentence for thirty days or more, who has not been guilty of a breach of the rules of the prison, shall be entitled to a reduction of the period of his sentence as follows: From a term of one month, five days; from a term of two months, ten days; from a term of three months, fifteen days; from a term of four months, twenty days; from a term of five months, twenty-five days; from a term of six months, thirty days. Proportionate reductions shall be made for fractional parts of a month included in any sentence.

545. **Further duties of jailer.** It shall be the duty of the jailer to take charge of the city prison, to cause the same to be warmed and lighted when it shall be necessary, and kept clean and in proper order. He shall have the custody of the inmates thereof, and shall see to feeding and otherwise caring for them. He shall see that all rules prescribed by the city council for the government of the prison are carried into effect.

546. **Prisoners to labor.** Whenever any person is sen-

tenced to imprisonment for violation of any city ordinance, and such person is required by the judgment of the court to labor, such labor shall be performed under the direction of the chief of police. If committed for the non-payment of a fine, or fine and costs, for such work the person so required to labor shall be allowed one dollar for each day's work on account of such fine and costs.

CHAPTER XXXIX.

RAILROADS.

547. To repair sewers, street crossings, etc. All persons constructing railroads within the limits of Salt Lake City shall be subject to the following regulations:

They shall, at their own expense, construct and keep in good repair all water sects, sewers, drains, street crossings, or receiving basins, and all fixtures connected therewith, and with the distribution of water in said city, which may be affected thereby. The construction, alterations and repairs must be done under the direction of the proper city official and subject to the approval of the city council.

548. Arches and bridges. Tracks on grade. All railroad companies shall, at their own expense, construct arches and bridges for the cross streets, now existing or hereafter opened, intersecting the embankments or excavations of their railroads; they shall also make such grades or excavations as, in the opinion of the city council, may be required, to make the passage over the railroad embankments easy and convenient for all the purposes for which streets are usually used; and they shall make such drains and sewers as their embankments and excavations may make necessary. Such companies shall make their railroad tracks conform to what is, or may hereafter be the established grade of the street or place through which their railroads pass; and no company shall have the right to take up, remove, carry away, or cause, or permit to be taken up, removed, or carried away, any rock, gravel, earth, or other material from any street or public place, for any purpose, except by permission of the city council, and under the direction of the street supervisor. All railroad companies shall plank between all rails, and for two feet on either side of the outer rail, on all streets that cross the said tracks, said planking to be for the full width of said cross street and sidewalks, unless otherwise directed by the city council.

549. Obstructions. If, at any time after the commencement of the construction of any railroad, it shall appear to the city council that any part thereof shall constitute an obstruction or impediment to the ordinary use of any street or place, or that it is being operated contrary to the regulations of the city, the said railroad company shall, on notice from the city council, and within the time therein specified, provide a remedy satisfactory to said council; should the said company neglect or refuse to obey the directions of such notice, the city council may, upon the expiration of the time limited in such notice, cause the obstruction or impediment to be removed, and the street or place restored at the expense of the said railroad company.

550. Crossing other tracks. Nothing in any ordinance or resolution granting a right of way, or franchise for a railroad, shall be construed to prohibit the council from granting permission to any other railroad company to cross any railroad track already laid, and when any railroad shall intersect any other railroad, the rails of each shall be so cut or altered as to permit the cars to pass without obstruction. It shall be unlawful for any person to wilfully obstruct any railroad in the manner herein prohibited. The tracks of all railroads shall be laid in the center of the streets, unless otherwise directed by the city council.

551. Speed. It shall be unlawful for any person to run any locomotive, train or cars operated by steam, west of the east boundary of Third West Street and between Fourth South Street and Third North Street in Salt Lake City at a greater speed than twelve miles per hour.

552. Bells. It shall be unlawful for any person employed on a locomotive to fail to continuously ring the bell on such locomotive while in motion in the inhabited portions of the city.

553. Crossings. All locomotives, cars and trains are required to come to a full stop before crossing any other

line of railroad, and at a distance of not less than forty feet therefrom; and when two trains arrive at the same crossing simultaneously, the train on the first constructed track shall have precedence in crossing. It shall be unlawful for any person to permit any train, engine or cars to stand in any street, or upon any sidewalk or crossing so as to obstruct the ordinary travel thereon.

554. Rights reserved to the city. The right of regulating the description of power to be used in the city in propelling cars on and along railroads, and the speed of the same, together with the price of the license or tax to be paid therefor, shall not, by virtue of any grant or contract, be construed to mean that such right passes to the grantee; but such rights, together with all other powers vested in said council for the regulating, controlling or removing of railroads within said city, are expressly retained and reserved.

555. Regulating running of street cars. It shall be unlawful for any person owning or operating any street railway within the corporate limits of Salt Lake City, to run any car on or over any track so owned or operated, without having in charge of such car a motorman and a conductor; *provided*, that cars may be run and operated with only one man in charge thereof, if, at all times when the car is in motion, he shall be stationed at the front end of such car and have charge of the motor.

556. Fenders on street cars. It shall be unlawful for any person owning, operating, running or in charge of any car propelled by electricity, cable or other motive power, except snow plow cars and sweeper cars, to operate or run such car upon any street, unless such car is equipped with fenders projecting beyond the front platform of such car, and designed to catch and sustain, and prevent injury to any human being who may be in the way of such car; *provided*, that when two or more cars are coupled and operated and run together, such fenders shall be attached to the first or leading car, but need not be attached to the others.

557. **Wilfully getting upon fenders.** It shall be unlawful for any person, when not in danger of injury, to get upon the fender attached to any street car, whether such car be standing still or in motion.

558. **Penalty.** Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than one hundred dollars, or by imprisonment in the city jail not more than one hundred days, or by both such fine and imprisonment.

CHAPTER XL.

REAL ESTATE.

559. Records. Purchase. Whenever any real estate, or any interest therein, is transferred to Salt Lake City, the deed or other instrument of transfer shall, without delay, be delivered to the city auditor, who shall immediately cause such deed or other instrument to be recorded in the office of the county recorder of the county in which such real estate is situated. After such deed or other instrument has been so recorded, it shall also be recorded at length in the records in the office of the land and water commissioner. Thereafter such deed or other instrument shall be deposited in the office of the auditor.

560. Abstract of title. The purchase price or other consideration for the transfer of any real estate, or any interest therein to Salt Lake City, shall not be delivered to the grantor unless he shall furnish to the city a complete and accurate abstract of the title to the property. All such abstracts of title shall be deposited in the office of the land and water commissioner.

561. Record. Sale. Whenever any real estate, or any interest therein, is transferred or granted by Salt Lake City, the deed, lease, contract or other instrument, shall be recorded at length in the office of the land and water commissioner before being delivered to the grantee. If, in any case, it shall be impracticable to record said deed or other instrument before delivery, then a true copy thereof shall be immediately furnished the land and water commissioner, who shall record said copy.

562. Land and water commissioner. It shall be the duty of the land and water commissioner to keep a complete and accurate record, properly indexed, of all transfers of real

estate to and from Salt Lake City Corporation, and also to keep a complete and accurate record of all other instruments and transactions which affect the title to real estate belonging to the city.

563. **City Recorder.** It shall be the duty of the city recorder to notify the city auditor and the land and water commissioner of all final acts of the city council which pertain to the purchase, sale, transfer, lease or encumbrance of any real estate in which the city is interested.

564. **List.** It shall be the duty of the land and water commissioner to deliver to the city auditor during December of each year, a revised list of all real estate belonging to the city, together with an estimate of the value of the several parcels thereof at the time said list is made.

565. **Auditor.** It shall be the duty of the auditor and the land and water commissioner to promptly inform each other of all transactions affecting the title of real estate belonging to the city.

CHAPTER XLI.

RECORDER.

566. **Compensation.** The compensation of the recorder shall be eighteen hundred dollars per annum, which shall be in full for all services rendered the city, and shall be payable monthly as are the salaries of other city officers.

567. **Oath. Bond.** The recorder shall, before assuming the duties of his office, take and subscribe the constitutional oath of office, and furnish a bond to the city in the sum of five thousand dollars.

568. **Deputies and assistants.** The recorder shall have power to appoint, during the term for which he is elected, subject to confirmation by the council, the following deputies and assistants: One deputy recorder, who shall also act as clerk of the city council committees, at a salary of twelve hundred dollars per annum;

Two deputy recorders, who shall also act as clerks of the city court, at a salary of ten hundred and eighty dollars each per annum;

Three clerks, at a salary of nine hundred dollars each, per annum;

Two stenographers for the city court, at a salary of seven hundred and twenty dollars each per annum, all of which salaries shall be paid monthly as are the salaries of other city employees.

569. **Duties. Powers. Records and seal.** It shall be the duty of the recorder to keep the records, papers and seal of the city, and record, in order or date, all ordinances and resolutions passed by the city council, in a book kept for that purpose. He shall keep, in a separate book, a record of the proceedings of the council. He shall have power to administer oaths on claims presented against the city and in all matters connected with city business.

570. Pay over money. Records. The recorder shall cover into the city treasury, all moneys belonging to the city coming into his hands by virtue of his office. He shall deliver to his successor in office the corporate seal, together with all books, papers, records and other property in his possession belonging to the city.

CHAPTER XLII.

REPORTS.

571. **Made to mayor annually.** The recorder, treasurer, attorney, auditor, board of public works, board of health, chief of police, chief of fire department, city engineer, inspector of provisions, health commissioner, pound keeper, sealer of weights and measures, sanitary inspector, sexton, superintendent of sewers, superintendent of waterworks, supervisor of streets, superintendent of irrigation and water master, inspector of buildings, humane officer, land and water commissioner, park keeper and inspector of plumbing shall, on or before the first meeting of the city council in February in each year, make an annual report in writing, to the mayor, which reports shall show for each department:

1. The moneys received and disbursed, if any, during the preceding twelve months.

2. The business done or labor performed by said officer or department during the preceding twelve months, and the general condition of his office or department at the close thereof.

3. Such recommendations or suggestions as may be deemed of service and benefit and for the welfare of the city. Such reports shall comprise, in a consolidated form and for the whole year, the substance of the quarterly or other reports required by other provisions of these revised ordinances. The reports herein provided for, or such portions thereof, as may be deemed necessary by the mayor, shall, with his own annual report, giving a summary of the city's business and condition, and such recommendations as he may consider advisable, be submitted to the city council on or before the first meeting in March each year.

CHAPTER XLIII.

REQUISITIONS AND VOUCHERS.

572. **Requisitions.** No department shall incur an unauthorized indebtedness, except after a requisition therefor has been duly approved by a majority of the city council committee having jurisdiction of such department; provided, that where any one item in a requisition calls for the expenditure of one hundred dollars or more, the entire requisition must be passed on by the council before the expenditure shall be deemed to have been authorized.

573. **Form.** All requisitions shall be in duplicate. The original must be retained and filed in the department and the duplicate must be filed in the auditor's office. All requisitions for the month must be in the hands of the appropriate committee at the first regular meeting in the month.

574. **Distribution sheets. Payrolls. Vouchers.** Each department shall attach to its monthly payroll a distribution sheet, showing the various purposes for which the several items in such payrolls were expended. Each department shall note on each voucher the account to which the item is to be charged or the purpose for which the expenditure is made. Vouchers and payrolls must be in the hands of the appropriate committee at the first meeting in each month.

575. **Charges between departments.** Charges by one department against another must be certified by the head of the department charged, and take the same course as any other indebtedness.

576. **Special appropriation.** Whenever a special appropriation is made for any department, the head of the department must notify the auditor as soon as the purpose of the appropriation has been carried out, and must at the same

time furnish the auditor a detailed statement showing the amount and purpose of the expenditure.

577. Auditor. No claims for department expenditures, except such as are authorized in the manner provided by Section 572, shall be audited by the auditor; and no vouchers or payrolls, which overdraw any special appropriation or allowance shall be approved by him.

CHAPTER XLIV.

SEAL.

578. Description of seal. The corporate seal of Salt Lake City shall be circular in form, not to exceed one and three-fourths inches in diameter, and shall contain in its impression, in the center thereof, a fac-simile of the joint city and county building and underneath it, the words "Corporate Seal," the whole surrounded by a scroll and the words "Salt Lake City, Utah."

CHAPTER XLV.

SEALER OF WEIGHTS AND MEASURES AND OIL INSPECTOR.

579. Appointment. Compensation. The mayor shall have the power to appoint, during the term for which he is elected, subject to confirmation by the council, a competent person to the position of sealer of weights and measures, who shall also perform the duties of oil inspector, and who shall hold office until the Monday next succeeding the expiration of the term of office of the appointing power. The compensation of such officer is hereby fixed at nine hundred dollars per annum, payable monthly as are the salaries of other city officials.

580. Oath. Bond. The sealer of weights and measures and oil inspector shall, before assuming the duties of his office, take and subscribe the constitutional oath of office, and furnish a bond to the city in the sum of one thousand dollars.

581. Duties. It shall be the duty of said inspector and sealer to mark and seal with a stamp, or by pasting a card thereon as he may deem most proper, all weights and measures, scales, beams and other weighing instruments, which he shall find to conform, or which shall be so adjusted as to conform to the established standards. It shall be his duty, and he is hereby authorized to inspect and examine, at least once in each year, and as much oftener as he may think proper, all weights, measures, scales, beams, steelyards or other weighing instruments used in said city for weighing and measuring as aforesaid, and he shall deliver to the owner thereof a certificate of the accuracy of such weights and measures as shall be found to be correct, or shall be rendered correct; and it shall be unlawful for any person to refuse or fail to exhibit such weights, measures, scales, beams, steel-

yards or other weighing instrument to the said inspector and sealer for the purpose of examination and inspection as aforesaid, or to obstruct him in the performance of the duties imposed upon him by ordinance. It shall be his duty to keep a record of all scales, beams, steelyards and other machinery or appliances used for weighing or measuring, by him tested, sealed, adjusted, repaired or made to conform to the established standards as provided in this chapter, together with the name of the owner or owners thereof, the time when so sealed, adjusted, tested, repaired or made to conform to the established standards, and the amount of money charged and collected by him for such services, which record shall at all times be subject to the inspection of the mayor, city council and city auditor.

582. Weights and measures to be sealed and marked.

Every person using weights, measures, scales, beams, steelyards or other weighing instruments, in weighing or measuring any article intended to be purchased or sold in Salt Lake City, or in the weight or measurement of which other persons or the public are interested, shall cause such weights, measures, scales, beams, steelyards or other weighing instruments to be sealed and marked before using the same, and annually thereafter by the sealer of weights and measures and oil inspector; and it shall be unlawful for any person to use or permit to be used, any weights, measures, scales, beams, steelyards or other weighing instruments for weighing or measuring any article for purchase or sale in said city, or in the weight or measurement of which other persons or the public are interested, not so sealed or marked as aforesaid, or to use or permit to be used in buying, selling, weighing or measuring, any false weights, measures, scales, beams, steelyards or other weighing instruments, whether the same shall have been inspected and sealed as aforesaid or not. Whenever any person shall change his place of business, all weights, measures, scales, beams, steelyards or other weighing instruments used in said business shall be inspected, sealed and marked within six days after such change has been made.

583. Weighing or measuring instruments to be reported. Every person applying for a license to engage in any business requiring the weighing or measuring of articles to be sold or purchased in this city, shall, within two days after the date of said application, report to said inspector and sealer of weights and measures, the number, kind and capacity of each, every and all weighing or measuring instruments intended to be used in said business.

584. Peddlers and hawkers. All itinerant peddlers, milk peddlers and hawkers using measures, scales, balances, steelyards or any other such instrument, shall take the same to the office of said inspector and sealer before using, and have the same inspected, tested and sealed. Such itinerant peddler, milk peddler and hawker shall present the certificate of the said inspector and sealer that the measures, scales, balances, steelyards or other such instruments to be used by them are accurate, and no license shall be issued to such itinerant peddler, milk peddler or hawker except on the presentation of such certificate. It shall be unlawful for any itinerant peddler or hawker to use any ice scales.

585. Regulation of weights and measures. Standard There shall be a regulation of weights and measures within the city, and the standard adopted by the State of Utah shall be the test by which they shall be compared and determined. The peck, half peck, quarter peck, quart and pint measures for measuring commodities which are not liquid, shall be derived from the standard half bushel by dividing the capacity of that and each successive measure by two. The interior depth of the half bushel measure shall not exceed seven and a half inches, nor be less than seven inches; of the peck shall not exceed six inches, nor be less than five and a half inches; of the half peck shall not exceed five inches nor be less than four and a half inches; of the quarter peck shall not exceed four inches, nor be less than three and a half inches; and of the quart shall not exceed three inches, nor be less than two and a half inches; and in measuring such commodities for purchase or sale, it shall be unlawful to use any subdivisions

of the half bushel not herein specified. The city council, at the expense of the city, shall provide and maintain the necessary and approved standards, with their several necessary subdivisions for the purpose of testing and proving the weights and measures to be used in the city.

586. Same. Articles to be sold by heaped measure shall be heaped up in conical form as high as the article to be measured will admit, and all commodities, not liquid, when sold by the gallon or less, shall be sold by dry measure, and the measure used shall have the same diameter at the top as at the bottom; but nothing herein contained shall be construed to prevent the sale of fruit and berries in packages containing a half bushel or any aliquot part thereof hereinbefore mentioned, and distinctly labeled or marked so as to show the exact quantity therein contained, nor to prevent the sale of fruit at a fixed price per piece or number, provided, that when berries are sold in boxes, it shall be unlawful to sell in boxes containing less than a whole quart or pint, standard measure.

587. Second hand dealers. Second hand dealers having in their possession any articles required by this chapter to be examined and tested, shall, before selling or delivering such articles to the purchaser procure from said inspector and sealer, and deliver to the purchaser, a certificate of their accuracy.

588. Fees. The fees collected for services by said officer under this chapter, shall be by him covered into the city treasury monthly, and shall be accounted for in full; for each settlement he shall take from the treasurer duplicate receipts, one of which he shall file with the city auditor. Said inspector and sealer shall collect for each examination, testing, sealing and certifying as hereinbefore required, the following fees, which shall be collected from the owner or owners of the weights, measures, or other articles tested:

Any steelyard or beam, ground, floor, platform or other scales by which may be weighed not exceeding 260 lbs.	\$0.25
Any such instrument by which may be weighed over 260 pounds and not exceeding 600 pounds	0.50
Over 600 and less than 1200 pounds	0.75
Over 1200 pounds and not exceeding 2500 pounds	1.00
Over 2500 pounds	2.50
Wagon scales	2.50
For any yard stick, dry or liquid measure	0.10
Provided that two or more yards in length marked on a counter shall be, each	0.05
For any nest or set of measures .....	.25

And the weights attached to any scale shall, as to the fee to be collected by such inspector and sealer, be considered a part of the scales. It shall not be lawful for said inspector and sealer to collect or receive the aforesaid charges more than once in each six months from the same person for the same instrument, unless such instrument is found to be out of order, not conformable to the standard, or in case of change of place of business.

589. **Unlawful to refuse to pay fee.** It shall be unlawful for any person to fail, neglect or refuse to pay said inspector and sealer the inspection fees or charges authorized by this chapter, and it shall be the duty of every such person to pay the same immediately to said inspector and sealer where the test has been made, or at his office.

590. **Keeping weighing instruments not conformable to standard prohibited.** It shall be unlawful for any person to use, to keep, or permit at his place of business where articles to be bought or sold, or offered or exposed for sale are weighed or measured, or upon his wagon or other vehicle used in his business of weighing or measuring articles to be bought or sold, any weight, measure, scale, beam, patent balance, steelyard or other instrument which has not been sealed as provided in this chapter, or which does not conform to the standards of Salt Lake City, or the State of Utah, or which shall be out of order or incorrect.

591. **Dealers in oils.** It shall be the duty of every person dealing in illuminating oils in Salt Lake City, to give notice to said inspector of oils and sealer of weights and measures, of any such oil in his possession not theretofore inspected by said officer, within two days after the same shall have been received into his possession. And it shall be unlawful for any dealer to refuse, neglect or fail to give such notice, or to refuse to permit said officer on demand, to inspect any illuminating oil not previously inspected.

592. **Inspector of oils. Duties.** It shall be the duty of the inspector of oils and sealer of weights and measures, when notified as aforesaid, to inspect all such oils as promptly as possible after notification, and to reject for illuminating purposes, all such oils as will emit a combustible vapor at the temperature of 110 degrees Fahrenheit. In making such test, the oil shall not be heated faster than two degrees per minute. Said officer shall mark plainly and indelibly on each cask, barrel or package, "Approved Flash Test being 110" with his name and title of office; but if said oil so tested shall not meet said requirement as aforesaid, then the said officer shall mark on each cask, barrel or package containing the same, "Rejected for illuminating purposes," together with his name and title of office. The inspector of oils and sealer of weights and measures shall record each inspection within twenty-four hours, in a book prepared for the purpose, which shall be open to all parties interested.

593. **Fees as oil inspector.** For services performed in inspecting oils as aforesaid, the inspector of oils and sealer of weights and measures shall collect in advance from the person owning the oil inspected, for the use and benefit of the city, the following fees, to-wit:

For all oils in barrels or tank cars, one-quarter of a cent per gallon; for oils in cases, one cent per gallon, for lots from one gallon to twenty-five gallons; three-fourths of a cent per gallon for all lots from twenty-five gallons to fifty gallons; one-half of a cent per gallon for all lots over fifty gallons. The said officer shall keep a correct account of all fees col-

lected, and such fees shall be by him covered into the city treasury on the first Monday following their collection, and must be accompanied by a statement thereof duly verified by said officer.

594. Inspector not to trade in illuminating oils. It shall be unlawful for the inspector of oils and sealer of weights and measures during his term of office, to buy, sell, bargain or trade, directly or indirectly in any illuminating oil.

595. Dealers prohibited from selling illuminating oil below standard. It shall be unlawful for any person or dealer to sell or offer for sale, to any person in this city, any illuminating oil, which shall be below the approved standard as hereinbefore indicated and determined, or before the same shall be inspected and approved; or for any dealer or inspector to falsely brand any cask, barrel or package containing illuminating oil, or procure the same to be done, or to use any cask, barrel or package having the inspector's brand thereon, and the oil therein not to have been inspected as hereinbefore provided.

596. Penalty. Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than one hundred dollars, or by imprisonment in the city jail not more than one hundred days, or by both such fine and imprisonment.

CHAPTER XLVI.

SECOND HAND AND JUNK DEALERS.

597. **Second hand dealer defined.** Any person who keeps a store, office or place of business for the purchase or sale of second hand clothing or garments of any kind, or second hand goods, wares or merchandise, except books, musical instruments and curiosities, or who engages in the business of dealing in second hand goods, is hereby declared to be a second hand dealer.

598. **Junk dealer defined.** Any person engaged in buying and selling old metals, glass, rags, rubber, paper or other junk is hereby declared to be a junk dealer.

599. **Dealing with minors prohibited.** It shall be unlawful for any second hand or junk dealer by himself, his agents or servants, to purchase or receive any personal property of or from any minor under the age of eighteen years.

600. **Record.** It shall be unlawful for any second hand or junk dealer to fail to keep a substantial and well bound book, in which he shall enter at the time of purchase, in the English language:

First. A true and accurate description of every article purchased by him.

Second. The name, age and residence of the vendor.

Third. The amount paid.

Fourth. The date and hour of purchase.

All entries shall be made with ink in a legible manner. All records of second hand dealers and junk dealers shall be open to inspection by any police officer at any time.

601. **Penalty.** Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor,

and, upon conviction thereof, shall be punished by a fine of not more than one hundred dollars, or by imprisonment in the city jail not more than one hundred days, or by both such fine and imprisonment.

CHAPTER XLVII.

SEWERS.

602. Districts. Sewer District No. 1.—Beginning at a point where the north line of the southeast quarter of section 23, township 1 north, range 1 west, Salt Lake meridian, intersects the center line of the County Road; thence southeasterly along the center of the County Road to the intersection of the center line of Garnet Street in the "Warm Spring subdivision;" thence south to the center of block 170, plat "A;" thence east to the intersection of the center line of Third West Street; thence south to the intersection of the center lines of Eighth North and Third West Streets; thence east to a point opposite the center of block 156, plat "A;" thence south through the center of said block 156 to the center of block 151, plat "A;" thence east to the intersection of the center line of Second West Street; thence south to the intersection of the center lines of Sixth North and Second West Streets; thence east to a point opposite the center of block 139, plat "A;" thence south through blocks 139 and 132 to the center of block 121, plat "A;" thence west to the center of block 120, plat "A;" thence south to the center of block 115, plat "A;" thence west to the intersection of the center line of Third West Street; thence south to the intersection of the center lines of Second North and Third West Streets; thence west to a point opposite to the center of block 101, plat "A;" thence south through the center of said block 101 to the center of block 98, plat "A;" thence west to the intersection of the center line of Fourth West Street; thence south to the intersection of the center lines of Fourth West and South Temple Streets; thence east to a point opposite the center of block 80, plat "A;" thence south through the center of said block 80 to the center of block 65, plat "A;" thence east to the intersection of the center line of Third West Street; thence south to the intersection of the center lines of Second South and Third West Streets; thence east to a point opposite the center of

block 61, plat "A"; thence south to the center of said block 61; thence east to the intersection of the center line of Second West Street; thence south to the intersection of the center lines of Third South and Second West Streets; thence east to a point opposite the center of block 49, plat "A"; thence south to the center of said block 49; thence east to the intersection of the center line of First West Street; thence south to the intersection of the center lines of Fourth South and First West Streets; thence east to a point opposite the center of block 41, plat "A"; thence south to the center of said block 41; thence east through blocks 41, 40 and 39 to the intersection of the center line of State Street; thence south to the intersection of the center lines of State and Fifth South Streets; thence east to a point opposite the center of block 35, plat "A"; thence south to the center of said block 35; thence east to the center of block 36, plat "A"; thence south to the center of block 19, plat "A"; thence east to the center of block 21, plat "B"; thence south to the intersection of the center line of Seventh South Street; thence east to the intersection of the center lines of Fourth East and Seventh South Streets; thence south to a point opposite the center of block 9, plat "B"; thence east to the center of said block 9; thence south to the center of block 6, plat "B"; thence east to the intersection of the center line of Fifth East Street; thence south to the intersection of the center line of Eleventh South Street; thence east along the center of Eleventh South Street to the intersection of the center line of Ninth East Street; thence south along the center of Ninth East Street to a point opposite the southwest corner of lot 8, block 1, Five-Acre plat "A"; thence east along the south boundary line of the city to the east line of Fifteenth East Street; thence north along the east side of Fifteenth East Street to the boundary line of the Fort Douglas Military Reservation; thence west to the brick monument at the southwest corner of said reservation; thence north along the west boundary of said reservation to the south line of the southwest quarter of section 28, township 1 north, range 1 east of the Salt Lake meridian; thence west to the southwest corner of section 29, township 1 north, range 1 east; thence north 80

rods; thence west 400 rods; thence north 80 rods; thence west 80 rods to the center of section 25, township 1 north, range 1 west; thence north 160 rods to the southeast corner of the southwest quarter of section 24, township 1 north, range 1 west; thence west 80 rods; thence north 80 rods; thence west 80 rods; thence north 80 rods to the quarter-section corner between sections 23 and 24, township 1 north, range 1 west; thence west to place of beginning.

Sewer District No. 2. Beginning at a point where the north line of the southeast quarter section of section 22, township 1 north, range 1 west, intersects the east bank of the Jordan River, and running thence east to a point where the north boundary line of the southeast quarter of section 23, township 1 north, range 1 west, intersects the center line of the county road, thence southeasterly along the center of the county road to the intersection of the center line of Garnet Street in the Warm Springs Subdivision; thence south to the center of block 170, plat "A"; thence east to the intersection of the center line of Third West Street; thence south to the intersection of the center lines of Eighth North and Third West Streets; thence east to a point opposite the center of block 156, plat "A"; thence south through the center of said block 156 to the center of block 151, plat "A"; thence east to the intersection of the center line of Second West Street; thence south to the intersection of the center lines of Sixth North and Second West Streets; thence east to a point opposite the center of block 139, plat "A"; thence south through blocks 139 and 132 to the center of block 121, plat "A"; thence west to the center of block 120, plat "A"; thence south to the center of block 115, plat "A"; thence west to the intersection of the center line of Third West Street; thence south to the intersection of the center lines of Second North and Third West Streets; thence west to a point opposite the center of block 101, plat "A"; thence south through the center of said block 101, to the center of block 98, plat "A"; thence west to the intersection of the center line of Fourth West Street; thence south to the intersection of the center lines of Fourth West Street and South Temple Streets, thence east to a

point opposite the center of block 80, plat "A"; thence south through the center of said block 80 to the center of block 65, plat "A"; thence east to the intersection of the center line of Third West Street; thence south to the intersection of the center lines of Second South and Third West Streets; thence east to a point opposite the center of block 61, plat "A"; thence south to the center of said block 61; thence east to the intersection of the center line of Second West Street; thence south to the intersection of the center lines of Third South and Second West Streets; thence east to a point opposite the center of block 49, plat "A"; thence south to the center of said block 49; thence east to the intersection of the center line of First West Street; thence south to the intersection of the center lines of Fourth South and First West Streets; thence east to a point opposite the center of block 41, plat "A"; thence south to the center of said block 41; thence east through blocks 41, 40 and 39 to the intersection of the center line of State Street; thence south to the intersection of the center lines of State and Fifth South Streets; thence east to a point opposite the center of block 35, plat "A"; thence south to the center of said block 35; thence east to the center of block 36, plat "A"; thence south to the center of block 19, plat "A"; thence east to the center of block 21, plat "B"; thence south to the intersection of the center line of Seventh South Street; thence east to the intersection of the center lines of Fourth East and Seventh South Streets; thence south to a point opposite the center of block 9, plat "B"; thence east to the center of said block 9; thence south to the center of block 6, plat "B"; thence east to the intersection of the center line of Fifth East Street; thence south to the south line of Tenth South or Roper Street; thence west along the south line of Tenth South or Roper Street to the east bank of the Jordan River; thence down the east bank of the Jordan River to the place of beginning.

603. Superintendent. The city engineer shall be ex-officio superintendent of sewers, and the entire sewer system shall be under his immediate care, supervision and control.

604. Injuring sewer prohibited. It shall be unlawful for

any person to wilfully injure, break, or remove any part or portion of any sewer or any sewer appliance or appurtenance.

605. Obstruction. It shall be unlawful for any person to empty or discharge into the public sewers any night soil, garbage or other similar matter, or any matter or thing likely to obstruct the sewer.

606. Man-hole covers. It shall be unlawful for any person to open any sewer man-hole without permission from the superintendent of sewers.

607. Privy vaults and cesspools to be filled and property connected with sewer system in sewer districts. It shall be unlawful for the owner, agent or occupant of property abutting the sewer system embraced within the limits of the sewer districts of Salt Lake City, to fail to immediately remove and fill up all privy vaults and cesspools on such property, and to make connections with the sewer system.

608. Sewer connections. It shall be unlawful for any person to connect any drain or sewer pipe with the public sewer, unless such person is a duly licensed drain-layer or plumber.

609. Permit. It shall be unlawful for any person to commence or to carry on the work of laying, repairing, altering or connecting any sewer pipe with the public sewer, without first having a permit so to do from the superintendent of sewers. Such permit must be on the ground during the whole time the work is in progress, and must be exhibited to any person demanding to see it.

610. Application for permit. Plans. Fees. Applications for permits for sewer connections must be made in writing by the owner of the premises, or his authorized agent, and must be accompanied by a plan, showing the cause of the connection, its size and the size and location of all branches to be connected with it. The application and plan, together

with a fee of one dollar, shall be deposited with the superintendent of sewers. All sewer connections shall be put in to line and grades designated by the city engineer, who shall prepare a plat of each connection and file such plat in his office, for which services and filing the engineer shall collect a fee of two dollars.

611. Revocation of permit. All permits for sewer connections shall be issued to the plumber or drain-layer who is to do the work, but the superintendent of sewers may, at any time revoke a permit for defective work or other cause, or upon the request of the person at whose instance the permit is issued.

612. Discharge of surface water prohibited. It shall be unlawful for any person to connect with the public sewer, any drain which discharges rain water, cellar or surface water, or the contents of any spring, creek, ditch or other water course.

613. Other pipes. It shall be unlawful for any person to lay any gas or water pipe, or other conduit within two feet of any public sewer.

614. Drain pipes. Description. All drain pipes shall be not less than four inches, and not more than six inches internal diameter, and of cast iron, sound, free from holes or cracks, without traps, valves or other obstructions to prevent or retard the free passage of air or sewage, and of the grade known as "extra heavy." The following weights per linear foot will be accepted:

4 inch, 13 pounds per linear foot.

5 inch, 17 pounds per linear foot.

6 inch, 20 pounds per linear foot.

All fittings used in connection with such pipe shall correspond with it in weight and quality. The joints of all pipes shall be of lead, thoroughly calked. Oakum gaskets shall be used in all joints, in such manner as to prevent the lead from being forced through and forming projections on the interior of the pipe. All pipe must be sound, of uniform size and qual-

ity, and laid on a uniform grade of not less than one in sixty, and as nearly straight as possible. All changes in direction must be made by means of properly curved pipes of not more than one-eighth bend.

615. Pipes. How covered. All sewer connections must be covered with at least eighteen inches of earth, which, for the first six inches in depth must be free from stones or rubbish, and the entire back-filling must be thoroughly tamped.

616. Assessments must be paid. Whenever property or a part of any property, to be drained by a proposed private drain or sewer connection, has been previously assessed for any sewer extension, and any portion of such assessment remains due and delinquent at the time of application for a permit for such connection, no permit shall be issued until such delinquent assessment has been paid.

617. Connections before completion of sewer. During the construction of any sewer extension, any property owner, owning property assessed for such extension, may obtain permission, to connect such property therewith, by paying into the city treasury his full assessment for such sewer extension, and by complying with the other provisions of this chapter.

618. 1000 foot drains. It shall be unlawful for any person to construct any private drain connection with the public sewer, of a length of one thousand feet or over, except under such regulations and restrictions as may be prescribed by the city council in each instance.

619. Notice. It shall be unlawful for any person to commence to lay any drain pipe, without having given the superintendent of sewers twenty-four hours notice of the time when he will commence such work. Work done without notice or without inspection shall be treated as defective work, and shall be condemned and uncovered, and, if need be, reconstructed by the superintendent of sewers, and all at the expense of the person holding the permit for such work.

620. Junction pipes. Unless otherwise directed in the permit, all private sewers or house drains must be connected with junction pipes, slants or "Ys," laid in the sewer during construction. The connection point with the sewer must first be located, before opening the trench for the rest of the work. All trenches must be of sufficient width, and opened in such manner as to admit of easy inspection, and all connections with the public sewer must be made in the presence of the inspector. In all cases where there is no junction piece, slant or "Y" in the sewer at the point where connection is to be made, the opening of the sewer and the making of such connection must be in strict accordance with the permit, and direction of the superintendent of sewers, and under his supervision.

621. Inside of drain. All drains connected with the public sewer must be left smooth and perfectly clean on the inside, and all dead ends must be securely stopped by bricks and cement, or other water tight and imperishable materials.

622. When permits not issued. Permits to connect with the public sewer, must not be issued, unless the plumbing in the house or building to be connected, is in accordance with the provisions of chapter XXXV, unless a special permit for such connection is granted by the superintendent of sewers.

623. Penalty. Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than one hundred dollars, or by imprisonment in the city jail not more than one hundred days, or by both such fine and imprisonment.

CHAPTER XLVIII.

SIDEWALKS.

624. Districts. The following sidewalk districts are hereby created, defined and established as follows, viz:

District No. 1. Both sides of First South Street, between East Temple and Fifth West Streets.

District No. 2. Both sides of First South Street, east from East Temple Street to the military reservation.

District No. 3. Both sides of Second South Street between East Temple and Fifth West Streets.

District No. 4. Both sides of Second South Street, east from East Temple Street to the military reservation.

District No. 5. Both sides of Third South Street between East Temple and Fifth West Street.

District No. 6. Both sides of Third South Street, east from East Temple Street to the military reservation.

District No. 7. Both sides of West Temple Street between South Temple and Eighth South Streets.

District No. 8. Both sides of East Temple Street between South Temple and Eighth South Streets.

District No. 9. Both sides of First East Street between South Temple and Eighth South Streets.

District No. 11. Both sides of First West Street between South Temple and Eighth South Streets.

District No. 12. Both sides of East Temple Street between South Temple and First North Streets.

District No. 13. Both sides of South Temple Street from East Temple Street to Third West Street.

District No. 14. Both sides of Fourth South Street east from East Temple Street to the military reservation.

District No. 15. Both sides of Fourth South Street from East Temple Street to Fifth West Street.

District No. 16. Both sides of Second East Street between South Temple and Eighth South Streets.

District No. 17. Both sides of South Temple Street from East Temple Street to the military reservation.

District No. 18. Both sides of Fifth East Street between South Temple and First South Streets.

District No. 19. Both sides of State Street from South Temple Street to Second North Street.

District No. 20. Both sides of all public streets, avenues and alleys in plat "A", Salt Lake City Survey, not heretofore included in any sidewalk district, except State Street from South Temple Street north.

District No. 21. Both sides of all public streets, avenues and alleys in plat "C", Salt Lake City Survey.

District No. 22. Both sides of all public streets, avenues and alleys in plat "B", Salt Lake City Survey, not heretofore included in any sidewalk district.

District No. 23. Both side of all public streets, avenues and alleys in plat "F", Salt Lake City Survey, not heretofore included in any sidewalk district.

District No. 24. Both sides of all public streets, avenues and alleys in plat "D", Salt Lake City Survey.

District No. 25. Both sides of all public streets, avenues and alleys in plat "G", Salt Lake City Survey.

District No. 26. Both sides of First Street from the east line of State Street to the east boundary of plat "I"; also both sides of Second Street and Third Street from the east line of Canyon Road to the east boundary of plat "I"; also both sides of Canyon Road from State Street to the north boundary of plat "I".

District No. 27. Both sides of all public streets, avenues and alleys in plat "E", Salt Lake City Survey, except State Street.

District No. 28. Both sides of all public streets, avenues and alleys in plat "J", Salt Lake City Survey.

District No. 29. Both sides of all public streets, avenues and alleys in the following described district: Beginning at the northwest corner of the intersection of Fifth East and Tenth South Streets, thence east to the east line of Fifteenth East Street, thence south to a point opposite the south line of lot

15, block 10, Five Acre plat "C", thence west to the west line of Ninth East Street, thence north to the south line of Eleventh South Street, thence west to the west line of Fifth East Street, thence north to the place of beginning.

District No. 30. Both sides of Third East Street between Eighth South and Ninth South Streets, in plat "A", Salt Lake City Survey, and both sides of said Third East Street between Ninth South and Tenth South Streets in Five Acre plat "A", Big Field Survey.

District No. 31. Both sides of Second West Street between Eighth South and Ninth South Streets, in plat "A", Salt Lake City Survey, and both sides of said Second West Street between Ninth South and Tenth South Streets in Five Acre Plat "A", Big Field Survey.

District No. 32. Both sides of Eleventh East Street between Ninth South and Eleventh South Streets, in Five Acre plat "A", Big Field Survey.

District No. 33. Both sides of Princeton Avenue from the east line of Eleventh East Street running east a distance of six hundred feet.

District No. 34. Both sides of all public streets herein described; beginning on Ninth East Street, at the south line of Ninth South Street, thence south to the north line of Eleventh South Street; also beginning on Tenth South Street at the east line of Ninth East Street, thence east to the west line of Eleventh East Street; also beginning on Tenth East Street at the south line of Tenth South Street, thence south to the north line of Spruce Street; also beginning on Lincoln Avenue at the south line of Tenth South Street, thence south to the north line of Spruce Street.

District No. 35. The north side of Fourth South Street between Second East and Third East Streets.

District No. 36. Both sides of Emerson Avenue between Tenth East and Eleventh East Street, and D. Street between Eleventh East and Thirteenth East Streets, Lincoln Park Subdivision.

District No. 37. Both sides of Princeton Avenue from Ninth East Street to Yale Place.

District No. 38. The north side of Spruce Street between Ninth East and Tenth East Streets, the north side of Young Street between Tenth East and Eleventh East Streets, and the east side of Barclay Avenue between Tenth South and Young Streets.

625. Sidewalks constructed by individuals. It shall be unlawful for any person, either as owner, agent, servant, contractor or employe, to construct, where grade has been established, any sidewalk in Salt Lake City unless such sidewalk be constructed to lines and grades as given and established by the City Engineer, unless special permission to deviate from such lines and grades is first obtained from the city council.

626. Same. Permit. Specifications. It shall be unlawful for any person, either as owner, agent, servant, contractor or employe, to construct any permanent sidewalk in Salt Lake City without having first obtained from the city engineer a permit so to do. The acceptance of such permit shall be deemed an agreement upon the part of such person to construct said sidewalk in accordance with the specifications furnished by the board of public works as to the character and quality of the work; and if the sidewalk be constructed of cement, the character and quality of the cement, the constituent parts of the mixture, and the thickness of the walk. It shall be unlawful to construct any such sidewalk in violation of the specifications given by the board of public works.

627. Same. Supervision. All sidewalks shall be constructed under the inspection of the board of public works.

628. Same. Inspection. Cost. Where property owners construct permanent sidewalks at their own expense in compliance with the provisions of this ordinance and the approval of the board of public works, the cost of indicating grades and lines and inspection shall be paid for by Salt Lake City.

629. Repairs. Unit of measurement. The unit of measurement and computation of all sidewalks in Salt Lake City

shall be a section of what is ordinarily termed a cement sidewalk, four feet square, composed in its principal parts of crushed rock or gravel and Portland cement.

630. Ordinary repairs defined. Ordinary repairs on sidewalks, within the provisions of this chapter, shall be deemed to be such repairs as shall not exceed, in cost, ten per cent of the cost of laying a cement sidewalk over a given surface.

631. Extraordinary repairs defined. Extraordinary repairs within the provisions of this chapter, shall be deemed to be such repairs as shall exceed ten per cent, and not exceed fifty per cent, of the cost of laying a cement sidewalk over a given surface.

632. New work defined. New work, under the provisions of this chapter, shall be deemed to be all sidewalk construction work, which shall exceed fifty per cent of the cost of laying a cement sidewalk over a given surface.

633. Repairs. Engineer's report. Levy. Whenever any portion of any sidewalk, consisting of one or more units, shall hereafter be found to be out of repair, it shall be the duty of the city engineer to compute the cost of repairing such sidewalk, and if such repairs shall be found to come within the definition of ordinary repairs, as provided in this chapter, the city engineer shall at once report the necessity for such repairs, together with his estimate of the expense thereof, to the city council; and if such repairs shall be found to come within the definition of extraordinary repairs, as provided in this chapter, the city engineer shall forthwith report the necessity for such repairs, together with his estimate of the cost thereof, to the board of public works; and, if the estimate on such sidewalk shall be found to be within the definition of new work, as provided in this chapter, the city engineer shall forthwith report to the city council the necessity for such new work, and for the levying of a tax to defray the expense thereof.

634. Annual contract. It shall be the duty of the board of public works, between the first day of December and the thirty-first day of December in each year, to advertise for bids, and to let to the lowest responsible bidder, a contract for the making of sidewalk repairs for the next ensuing calendar year; such contract shall provide for the prompt making of all ordinary repairs ordered by the city council, and the making of such extraordinary repairs as may be ordered by the board of public works, and shall specify also the contract rate for such classes, grades and kinds of sidewalk, as the board of public works may see fit to include in its advertisement for bids.

635. Ordinary repairs. Whenever it shall appear by the report of the city engineer that ordinary repairs on any sidewalk should be made, and whenever upon such report, such repairs are ordered by the city council, they shall be at once undertaken by the parties holding an annual contract for sidewalk repairs, as in this chapter provided, and such work shall be subject to the approval of the city engineer.

636. Extraordinary repairs. Notice. Whenever it shall appear from the report of the city engineer to the board of public works that extraordinary repairs are necessary to be made on any particular sidewalk, the board of public works shall at once notify the property-owner or owners whose property abuts upon the sidewalk where such repairs are needed, that certain repairs upon said sidewalk are needed, as in the notice specified, and that such repairs have been determined to be extraordinary repairs within the terms of this chapter, and that unless such property-owner or owners shall cause such repairs to be made within fifteen days from the date of said notice, to the satisfaction and approval of the board of public works, such repairs will be made by Salt Lake City, and the expense thereof taxed against said property.

637. Same. Expense. Whenever extraordinary repairs shall not be made by the property-owner or owners, as in the

last section specified, within the time therein named, the board of public works shall at once proceed with such repairs under the annual contract for sidewalk repairs as in this chapter provided, and, immediately upon the completion thereof shall report the expense thereof to the city council.

638. Same. Levy and sale. Whenever extraordinary repairs and the expense thereof are reported by the board of public works, the city council shall at once levy a tax against the property abutting upon the sidewalk where the repairs have been made, to meet the expense of such repairs. Said tax levy shall be reported to the city treasurer and ex-officio collector of special taxes, who shall give notice thereof, and at once proceed to collect the same in like manner as other special taxes are collected, except that notice of such tax shall specify that it is to cover the expense of extraordinary repairs on a certain sidewalk, and that said tax is both due and delinquent, and shall fix a time not more than thirty days from the date thereof when said property will be advertised for sale to pay such tax and the costs and expenses of levy and sale.

639. New work. Levy. Whenever the report of the city engineer upon any given sidewalk shall show that the construction of a new sidewalk is necessary, the city council shall give notice of intention to levy a tax to defray the expenses of relaying such sidewalk, and shall thereafter proceed as in other cases of special taxes.

640. Coal holes or other openings. It shall be unlawful to construct or maintain coal holes or other openings in streets or sidewalks, except under the supervision of the city engineer, and then only after the grant of special permission by the city council.

641. Cellar doors. It shall be unlawful for the owner or occupant of any building having a cellar opening upon any street or sidewalk to fail to keep the door or other covering thereof in good repair and safe for the passage of the customary traffic on said street or sidewalk; and if the owner or occu-

pant of any such building shall neglect or refuse to properly repair any such door or covering for twenty-four hours after notice from the supervisor of streets so to do, said supervisor of streets shall forthwith cause such repairs to be made at the expense of said owner or occupant.

642. Obstruction of sidewalks. It shall be unlawful for any person owning, occupying or having control of any premises, to place or permit upon the sidewalk or the half of the street next to such premises:

1. Any broken ware, glass, filth, rubbish, refuse matter, ice, water, mud, garbage, ashes, tin cans or other like substances.

2. Any wagons, lumber, wood, boxes, fencing, building material, dead trees, tree stumps, merchandise or other thing which shall obstruct such public street or sidewalk or any part thereof, or the free use and enjoyment thereof, or the free passage over and upon the same, or any part thereof, without the permission of the city council.

3. Any goods, wares or merchandise, for sale or show or otherwise, beyond three feet from the front line of the lot where such goods, wares or merchandise may be exposed.

643. Receiving goods. It shall be unlawful for any person to place or keep, or suffer to be placed or kept upon any sidewalk, any goods, wares or merchandise which he may be receiving or delivering, without leaving a ten foot passage-way clear upon such sidewalk; and it shall be unlawful for any person receiving or delivering such goods, wares or merchandise to suffer the same to be or remain on such sidewalk for a longer period than five hours.

644. Driving or riding on sidewalk. It shall be unlawful for any person to drive a team, or lead, drive or ride any animal upon any sidewalk, except across a sidewalk at established crossings.

645. Games on sidewalks or streets. It shall be unlawful for any person to obstruct any sidewalk or street by games

of any kind, playing of ball, quoits, marbles, jumping, rolling of hoops, flying of kites, or to annoy or obstruct the free travel of any foot passenger or team.

646. Carriage steps or platforms. It shall be unlawful for any person to erect any carriage step or platform across the gutter or water ditch in front of his place of business or residence, which shall be more than four feet long, three feet wide and two feet high; such carriage step or platform must be constructed under the supervision of and in a manner satisfactory to the supervisor of streets.

647. Weeds. It shall be unlawful for the owner, occupant or agent of any real property to neglect to cut and remove the weeds on the sidewalk in front of his premises after three days' notice from the street supervisor so to do.

648. Loafing. It shall be unlawful for any person to remain standing, lying or sitting on any sidewalk for a longer period than ten minutes, in such manner as to obstruct the free passage of foot travelers thereon, or to wilfully remain standing, lying or sitting thereon in said manner for more than two minutes after being requested to move by any police officer, or to wilfully remain on the sidewalk in front of any dwelling house or place of business, in such manner as to obstruct the free passage of any other person into or out of such dwelling house or place of business.

649. Snow to be removed from sidewalks. It shall be unlawful for the owner, occupant, lessor, or agent of any property abutting on any paved sidewalk to fail to remove or cause to be removed from such paved sidewalk all hail, snow or sleet falling thereon, within one hour after such hail, snow or sleet has ceased falling; *provided*, that in case of a storm between the hours of five o'clock in the afternoon and six o'clock in the morning, such sidewalk shall be cleaned before eight o'clock in the morning following such storm.

650. Weeds. It shall be unlawful for any person own-

ing, occupying or controlling any real property within the corporate limits of Salt Lake City, to allow weeds to remain on the property which he owns, occupies or controls, for a period of more than five days after notice from the supervisor of streets.

651. Sidewalks to be swept in front of business houses.

It shall be unlawful for the owners or occupants of places of business within Salt Lake City to fail to cause the sidewalk abutting thereon to be swept each morning. During the period from April first to December first, such sidewalks must be swept before the hour of 7 a. m., and during the period from December 1st to April 1st, such sidewalks must be swept before the hour of 8 a. m.

652. Penalty. Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than one hundred dollars, or by imprisonment in the city jail not more than one hundred days, or by both such fine and imprisonment.

CHAPTER XLIX.

SLAUGHTER HOUSES.

653. **Location.** It shall be unlawful for any person to slaughter any animal, or to erect or maintain any slaughter house or yard, or to engage in the business of slaughtering at any place within the corporate limits of Salt Lake City, without first obtaining a special permit from the city council; *provided, however,* that no permit heretofore or hereafter issued shall operate to prevent the revocation of such permit or the removal or abatement of any such slaughter house or yard by vote of the city council.

654. **Records.** It shall be unlawful for any person, licensed as a butcher or slaughterer, to fail to keep a book in which he shall record a true description of the age, size and color of all animals slaughtered by him, with the brands and marks thereon, together with the name of the person from whom received, and the time when killed, which book shall be open to the inspection of the public.

655. **To be kept clean.** It shall be unlawful for any person, engaged in the business of butchering or slaughtering within the corporate limits of Salt Lake City, to fail to thoroughly cleanse his slaughter houses and yards once in each twenty-four hours, and to remove from his premises, and deposit all offal in such manner and at such place as may be designated by the health commissioner.

656. **Duty of health commissioner.** It shall be the duty of the health commissioner, or his deputy (as often as he may deem necessary), to visit the slaughter houses within the limits of Salt Lake City, to examine the books and see that a true record is made of all animals killed, and that the slaughter houses and yards are thoroughly cleansed, as provided in Section 655.

657. **Penalty.** Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than one hundred dollars, or by imprisonment in the city jail not more than one hundred days, or by both such fine and imprisonment.

CHAPTER L.

SPECIAL TAXES.

658. **Council.** Whenever the city council shall deem it expedient to make any local improvement, the cost or expense of which may be defrayed in whole or in part by a special tax or local assessment, the following proceedings shall be had and determinations made:

First. The character, quality and extent of the improvement.

Second. The estimated cost thereof.

Third. The boundaries of the district or division of the city specially to be benefited or affected by the proposed improvement.

Fourth. Whether the whole, or what part of the whole cost of such improvement, shall be defrayed by special tax; *provided*, that in all cases one-half the expense of bringing streets, alleys and sidewalks to grade shall be borne by Salt Lake City.

Fifth. The time when the council will meet to hear and consider objections or protests to the making of such improvement or the levying of such a tax.

659. **Notice of intention.** The city council shall cause to be published a notice of its intention to make the improvement and defray the expense thereof, in whole or in part, by special tax, describing the proposed improvement, the boundaries or extent of the district to be affected or benefited thereby, the estimated cost thereof, and designating the time set for the hearing, mentioned in the last section. The said notice shall be published at least twenty days in a newspaper published and having a general circulation within the city; and shall be substantially in the following form:

“Notice is hereby given by the city council of Salt Lake City, of the intention of such council to make the following

described improvement, to-wit: _____
 and defray (the whole or _____) of the cost thereof,
 estimated at _____ dollars, by a local as-
 sessment upon the lots or pieces of ground within the follow-
 ing described district, being the district to be affected or bene-
 fitted by said improvement, namely: _____.
 All protests and objections to the carrying out of such inten-
 tion must be presented in writing to the city recorder on or be-
 fore the ____ day of _____, 19—, being the time set by
 said council when it will hear and consider such objections as
 may be made thereto.

By order of the city council of Salt Lake City.

Dated _____ City Recorder.

Within five days after the first publication of such notice,
 the treasurer shall furnish the recorder a list of the owners of
 the property within the district affected by such improvement,
 and the recorder shall, within ten days thereafter, mail to each
 of said property owners a copy of said notice addressed to the
 last known residence of such property owner.

660. Protests. Hearing. At the first regular meeting
 of the council after the expiration of the twenty days desig-
 nated in the notice, if written objections to the making of the
 improvement, signed by the owners of two-thirds of the front
 feet abutting upon that portion of the street or streets where
 the improvement is to be made, have not been filed with the
 recorder, the council shall hear and consider such objections or
 protests as shall have been made. If the council determines
 to proceed with the improvement, it shall make an order,
 which shall be entered of record in the minutes of its proceed-
 ings, authorizing and directing the work to be done and im-
 provement made, under the supervision of the proper officer
 or board named in the order.

661. Ordinance levying tax. When the order directing
 the improvement shall have been entered, the council shall
 pass an ordinance levying a special tax, sufficient in amount,

to cover the estimated cost of the proposed improvement. Such ordinance shall include :

(a)—a reference to the proposed improvement and the district to be benefited.

(b)—The estimated total cost of the improvement, and the estimated cost per unit of measurement determined upon.

(c)—a description of the blocks, lots, parts of blocks and lots, lands and real estate bounding, abutting or adjacent to such improvement or within the districts created for the purpose of such improvement.

(d)—a determination of the manner of making the assessment of the special tax, in respect to the foot frontage, square foot or other unit of measurement.

(e)—a finding and determination of the benefit of the improvement to the property assessed.

(f)—a declaration of the levy and assessment of the special tax.

(g)—a direction and authorization to the treasurer to assess and collect the tax.

662. Ordinance levying certified to treasurer. It shall be the duty of the recorder, immediately upon the approval, by the mayor, of the ordinance levying a special tax, to transmit a certified copy thereof to the treasurer.

663. Board of equalization. When the ordinance levying the special tax has been approved by the mayor, the council shall appoint a board of equalization and review, consisting of five members of the council.

664. Assessment list and plat. Immediately upon receipt of a certified copy of an ordinance levying a special tax, the treasurer shall cause to be made an accurate plat of the property affected by the tax, showing the owners thereof according to the most recent plat in the office of the county assessor, the parcels thereof according to ownership and their dimensions, and the location and character of the improvement proposed. He shall, at the same time, prepare an assessment list of the property affected, showing the individual own-

ers, the amount of property owned and the total amount of the tax assessed against each parcel. Whenever the name of the true owner of property affected by a special tax cannot be ascertained, the treasurer must assess the property in the name of "Unknown Owner," inserting such words in lieu of the true name.

665. Return to recorder. Immediately upon the completion of the assessment list and plat, the treasurer shall file a true copy thereof with the recorder, who shall thereupon notify the board of equalization and review that the assessment list and plat have been completed and a copy thereof filed in his office.

666. Notice of equalization. When the assessment list and plat have been completed and a copy thereof filed in the office of the recorder, the board of equalization and review shall give notice of the completion of such list and plat and the time and place of meeting of said board, by publication of such notice for five consecutive days in some daily newspaper published in Salt Lake City. The sessions of the board shall be held for not less than one hour each day between nine o'clock in the forenoon and five o'clock in the afternoon and shall continue for a period of not less than five consecutive days.

667. Report of board. Upon the completion of their sessions and their approval of the assessment list, the board shall report to the council their doings and any corrections or changes made by them in the assessment list.

668. Ordinance confirming. Upon receiving the report of the board of equalization and review, the council shall pass an ordinance confirming the assessment as reported by the board.

669. Ordinance confirming certified to treasurer. It shall be the duty of the recorder, immediately upon the approval, by the mayor, of the ordinance confirming the assessment of a special tax, to transmit a certified copy thereof to the treasurer, who shall thereupon proceed to collect the special tax.

670. **Notice of special tax for publication.** Immediately upon the receipt by the city treasurer of the certified copy of the ordinance confirming a special tax or assessment as specified in Section 669, the city treasurer shall give at least five days' notice in one or more newspapers having a general circulation in the city, of the time when such tax or assessment will become delinquent.

Such notice shall be substantially in the following form :

NOTICE OF SPECIAL CITY TAX.

To whom it may concern :

Notice is hereby given that a Special Tax for the purpose of (here insert briefly a description of the improvement for which the tax is levied) has been levied and confirmed by ordinances of the city council, approved _____ and _____ respectively.

Said special tax is levied upon the following described real property in Salt Lake City, to-wit: (Here insert a full description of the property affected by the levy, according to lots, blocks or parcels as the same may have been platted and recorded) and is due and payable (now or in installments as the case may be) and will become delinquent on the _____ day of _____, 190—, (or said first installment on the _____ day of _____, and said second installment on the _____ day of _____, and so on as the case may be.) If said tax is payable in installments insert—Each of said installments except the first draws interest at the rate of seven per cent per annum from the date of levy (repeat the date).

If said tax (or any of said installments, as the case may be) shall remain unpaid after the date of delinquency, interest thereon thereafter, will be at the rate of ten per cent. per annum from the date of delinquency until paid. All special taxes are payable at my office, Room _____ City and County Building, Salt Lake City.

Dated at Salt Lake City, Utah, this _____ day of _____, 19—

City Treasurer and Collector of Special Taxes.

671. Notice of special tax for mailing. As soon as possible after the first publication of such notice, and not less than five days before the day of delinquency, the city treasurer shall cause to be deposited in the mail, post paid and addressed to the several owners of the property affected by the levy, as they may then appear upon the records in the office of the county assessor, at their last known post office address, a personal notice, substantially in the following form:

SPECIAL TAX NOTICE.

Office of the City Treasurer and Collector of Special Taxes, Room —, City and County Building.

Salt Lake City, —————, 190—.

Mr. —————:

Your Special Tax on the within described property for the purpose of (here state briefly the object of the tax or assessment) is \$————, payable on or before the — day of ——— (or, if payable in installments—payable in installments as follows:—stating amounts and dates when due.) Said tax is levied by ordinance of the city council, and affects the following real property standing on the records of Salt Lake County in your name:

Description of Real Estate.	No. of Lot.	No. of Block.	Name of Plat.	Front Feet.	Price per Front Foot.	Total.	

(If the tax is payable in installments, insert here a statement that all installments, except the first, bear interest at seven per cent. per annum from date of levy, giving date.) Said tax becomes delinquent on the — day of ——— (or said first installment on the — day of ———, etc.) and unless paid on or before such date (or dates) draws interest from delinquency at the rate of ten per cent. per annum until paid.

If not paid when due, I shall proceed at once to collect, with interest and costs, as provided by law and ordinance.

City Treasurer and Collector of Special Taxes.
Please return this notice to be receipted.

672. Delinquent list and notice of sale. Within ten days after the date of delinquency, as fixed in the levy and notice of tax, the city treasurer shall make up a list of all property upon which the special tax remains due and unpaid, and cause the same to be published in some newspaper having general circulation in the city, daily thereafter for the full period of ten days. Said delinquent list shall contain a description of the property delinquent according to lots, blocks or parcels, together with the owner's name or names, if known, and if not known, in lieu thereof, the words "Unknown Owner," with the amount of taxes due, on each separate parcel, exclusive of costs, and shall be accompanied by a notice of sale substantially in the following form:

NOTICE OF SALE FOR SPECIAL TAXES.

Notice is hereby given that special taxes for (here insert briefly the purpose of the tax) are due and unpaid in amounts and upon the lands set forth and described in the delinquent list hereto attached, and unless said taxes, together with the costs of publication are paid on or before the ——day of—— (here fix a day at least twelve days from the date of the first publication), the real property upon which such taxes are a lien, will on said day, be sold for said taxes, costs of advertising and expense of sale, at the west front door of the Joint City and County Building in Salt Lake City, Utah, beginning at the hour of twelve o'clock noon of said day, and continuing until all of said property shall have been sold.

673. Costs. The city treasurer shall tax against each parcel of land advertised as delinquent the sum of twenty-five cents as the cost of advertising the delinquency, and shall, after the first publication, in all instances of payment, sale or redemption, collect such amount in addition to the tax.

674. **Expense of sale.** In case of a sale of any land for special taxes, the city treasurer shall add to the amount of tax and cost of advertising the further sum of twenty-five cents as the expense of sale, and shall in all instances of sale or redemption, collect such sum.

675. **Minimum sale price.** In no case shall land advertised for sale for delinquent special taxes, be sold for less than the amount of such special taxes, the cost of advertising and expense of sale.

676. **Sale.** On the day fixed for the sale, the city treasurer, in person or by deputy, shall appear at the hour and place named in the notice of sale, and shall there offer sufficient of the delinquent real estate to pay the taxes and costs, at public auction to the highest responsible bidder for cash. The offer of sale shall be substantially in the following language: There is delinquent upon —— (here describe the piece of property as in the notice) special taxes amounting to \$———, with costs and expenses of \$———, what is the smallest portion of this property which you will take and pay the taxes, costs and expenses. If the sale is not concluded by four o'clock in the afternoon of the day advertised, it may be, by the treasurer, continued until noon of the next succeeding business day, and thereafter in the same manner proceeded with and continued until completed.

677. **Sale to city.** In case no bid, at least equaling the amount of tax, cost of advertising and expense of sale, on each separate parcel, is received, as each separate parcel is offered for sale, such parcel shall be deemed bid in for Salt Lake City, and by the city treasurer shall be sold to Salt Lake City for the amount of the tax, the cost of advertising and expense of sale, and such sale shall have the same effect as if made to an individual.

678. **Tax sale record.** The treasurer shall make a record of all sales of real property in a book to be kept by him for that purpose, therein describing the several parcels of real property on which the taxes, costs and expenses were paid by purchas-

ers, in the same order as that in which said property was advertised for sale, stating in separate columns, the property, the amount of the tax, the costs and expenses, how much and what part of each tract was sold, to whom sold, the date of sale and the day of redemption. At the end of each calendar year the book shall be endorsed "City Treasurer's Special Tax Sale Record for the Year ——." and it shall then be filed in his office. Whenever, thereafter, any portion of property so sold shall be redeemed, the fact of redemption shall be, by the treasurer, entered opposite the property in the Tax Sale Record. At the expiration of four years from the date of filing in his office, the city treasurer must remove and file each yearly Tax Sale Record in the office of the city recorder.

679. **Certificate of sale.** When real estate is sold for taxes, the treasurer shall make out, sign, acknowledge and deliver to the purchaser, a certificate of sale which shall recite the facts of sale as in the Tax Sale Record, and that payment has been made therefor, and shall be substantially in the following form:

CERTIFICATE OF SALE FOR SPECIAL TAX.

This certifies that on the —— day of ——, 190—, in pursuance of law and ordinance, I, —— as city treasurer and ex-officio Collector of Special Taxes for Salt Lake City, Utah, sold to ——, subject to redemption, as provided by law, the following property in Salt Lake City, for delinquent special taxes assessed against said property in the name of ——, to-wit:

Description of property.	Tax.	Costs and Expenses.	How much and what part sold.	Purchaser.	Date of Sale.	Day of Redemption.	Total to Redeem at this date including Certificate.	

Payment therefor has been made by said _____.
 Dated _____.

City Treasurer and ex-officio Collector of Special Taxes for
 Salt Lake City.

(Acknowledgment in statutory form.)

680. Fees. The treasurer shall collect a fee of two dollars for each certificate issued, which fee shall be covered into the city treasury.

681. Certificate of sale to city. When property is sold to the city, the certificate of sale shall be delivered to the city auditor, whose duty it shall be to see that such certificate is properly recorded in the office of the county recorder, and shall thereafter be kept as a part of the records of the auditor's office.

682. General taxes on delinquent property. Between the 15th day of November and the 15th day of December, in each year, the city auditor shall ascertain, by examination of the county records, what, if any, of the property sold to Salt Lake City, is delinquent and about to be sold for general taxes, and report the property and the amount of the taxes in each instance, to the city council, with a request that the amount thereof be appropriated to Salt Lake County. It shall be the duty of the city council to appropriate the amount as recommended by the city auditor, and he shall thereupon draw his warrant in favor of Salt Lake County for the total sum of such delinquent taxes and deliver the same to the county treasurer, taking duplicate receipts therefor for each separate piece or parcel of property upon which the general taxes are thus paid. The city auditor shall thereupon deliver one of each such receipts to the city treasurer and file and attach the other to the corresponding certificate of sale in his office. Upon receiving such receipt, the city treasurer shall make entry on his Tax Sale Record, opposite the corresponding property, of the date and amount of taxes paid. Such taxes shall thereafter draw interest at the rate of one per cent per month, and shall be in-

cluded in the amount required to be paid for redemption of such property.

683. Redemption. Real estate sold for special taxes may be redeemed by any person interested therein, at any time within four years after the date of the sale thereof, by such person paying into the city treasury, for the use of the purchaser or his legal representative, the amount paid by such purchaser, and all costs and expenses including the cost of the certificate of sale, together with the sum of fifty cents for the redemption certificate, and all special taxes that have accrued thereon and which have been paid by the purchaser after his purchase to the time of redemption, together with interest at the rate of one per cent per month on the whole from the date of payment to the day of redemption; provided, that in all cases where property has been sold to Salt Lake City, and general taxes thereon have been thereafter paid by such city, it shall be necessary also for a redemptioner to pay the amount of such general taxes, so paid as aforesaid, with interest thereon from the date of payment to the day of redemption, at the rate of one per cent per month; and provided further, that when two or more parties are interested in a piece of property which has been sold for taxes, either party may redeem the property in which he is interested, upon payment of that proportion of the taxes, interest and costs which his property bears to the whole property sold, together with the sum of fifty cents for a redemption certificate.

684. Certificate of redemption. The city treasurer shall, when any property is redeemed, make the proper entry in the Tax Sale Record filed in his office, and issue a certificate of redemption, which certificate shall be, by him, acknowledged, and which said entry or said certificate shall be prima facie evidence of such redemption.

685. Notice of redemption. In all cases where property sold to Salt Lake City is redeemed, the city treasurer shall issue a formal notice of such redemption in writing, and file the same with the city auditor, whose duty it shall be to attach

such notice to the corresponding certificate of sale on file in his office, and indorse on the filing face of such certificate, in red ink, the word "Redeemed," and the date of redemption.

686. Tax deed. If any property sold as aforesaid be not redeemed within the time and in the manner in this chapter provided, upon the deposit of the Tax Sale Record for the year in which said property was sold, by the treasurer with the city recorder, the city recorder shall, on presentation of the treasurer's certificate of sale, make and acknowledge a deed conveying the property therein described to the purchaser, his heirs or assigns, as the case may be. If any person shall be entitled to receive deeds for more than one parcel of property, he may have the whole included in one deed, but each parcel shall be separately described. Beginning in 1908, and annually thereafter in January of each year, or as soon thereafter as the business of his office will permit, the city recorder shall make and acknowledge a deed, conveying to Salt Lake City all property purchased in the name of the city at special tax sale and not theretofore redeemed, as in this chapter provided, and deliver the same to the city auditor, whose duty it shall be to see that such deeds are properly recorded in the office of the county recorder, and thereafter kept on file in his office. Deeds issued by the city recorder in pursuance of the provisions of this chapter, shall recite substantially the amount of tax for which the property was sold, the particular purpose of the tax levied, the year in which the levy was made, the day and year of sale, the amount for which the real estate was sold, a description of the property sold, in accordance with the certificate of sale, the name of the purchaser, or the purchaser's assignee, and shall be executed by the city recorder on behalf of the city, and by him acknowledged so as to be entitled to record.

687. Tax deed record. The city recorder shall keep on file in his office a record of all tax deeds issued by him, which shall be a fac simile copy of the deeds so issued, and which shall be indexed in the name of the party whose property was sold for taxes, and also in the name of the individual to whom the tax deed was issued.

688. Recorder's fees. The city recorder shall collect two dollars for each deed issued, for the first description of property contained in such deed, and for each additional description of property in such deed, one dollar, and cover such fees monthly into the city treasury; provided, that in cases where Salt Lake City is the tax sale purchaser, no fee shall be collected.

689. Redemption after deed. Whenever property sold for special taxes and bought in by Salt Lake City shall not have been redeemed within the time specified, but shall have been conveyed to Salt Lake City by recorder's deed, such property may thereafter be redeemed by the owner, his heirs, personal representatives or assigns, upon petition therefor addressed to the city council, and upon such terms as the city council may determine, provided, that in no case shall redemption be allowed for less than the amount of the tax, costs of sale and expense of the certificate and deed, together with interest thereon at the rate of one per cent per month to the date of redemption.

690. Refunding excess special taxes. City Engineer. The city engineer shall report to the city council the actual cost of each improvement, to defray which, a special or local tax has been levied by the city council, as soon as the actual cost can be ascertained. Such report shall also show the difference, if any, between the actual cost and the tax levied, both by total and by the foot frontage of property abutting upon such improvement. He shall also, at the same time, file one copy of such report with the city treasurer, and one copy with the city auditor.

691. Same. City treasurer. The city treasurer, immediately upon the receipt of the report mentioned in Section 690, shall report to the city auditor a list of all persons who have paid into the city treasury any portion of such special or local tax, together with the amounts so paid, which may be in excess of the actual cost of the portion of such improvement, upon which the lot or parcel of land belonging to each of such persons abuts, and which has been assessed for such improvement.

The treasurer's report shall also show the abutting frontage of each of such persons, and the amount of tax assessed against each.

692. Same. City auditor. The city auditor, immediately upon the receipt of the city treasurer's report mentioned in Section 691, shall proceed to examine the same. He shall determine what persons are justly entitled to a refund of any portion of such tax, and the amount to which each person is entitled. He shall audit such claims in the same manner as other claims are audited, and shall immediately report them to the city council, with such particulars and information as will fully inform the city council.

693. Same. City Council. The city council, upon the receipt of the reports mentioned in Sections 690 and 692, shall (if deemed just and proper) appropriate to each person entitled thereto, any portion of such special or local tax paid by him into the city treasury, which may be in excess of the actual cost of the portion of such improvement, upon which the lot or parcel of land belonging to such person abuts, and which has been assessed for such improvement; and shall rebate and remit the portion of such tax which is in excess of the actual cost of such improvement.

CHAPTER LI.

STREETS.

694. **Defects to be repaired.** All defects in public streets, coming to the knowledge of any officer or person in the employ of the city, shall be by him at once communicated to the supervisor of streets, and he or some competent person detailed by him shall, without delay, repair, or cause such defect to be immediately repaired; and, until such repair is completed, he shall do whatever shall be necessary to protect the public from injury by reason of the defect.

695. **Restoration after excavation.** Whenever an excavation for any purpose is made or permitted in a public street by order of a department of the city government, the street shall be restored to its normal condition by the department making the excavation, without unnecessary delay, and, if it is not restored in manner satisfactory to the supervisor of streets, although it may not be dangerous to public travel, the said supervisor shall notify the department, which ordered or permitted the excavation to be made, to make forthwith such further restoration as he deems necessary, and if such department neglects so to do, the said supervisor shall cause such repairs to be made, and shall charge such department therefor; and, until such restoration is completed, he shall protect the public from injury by reason of such defect; provided, that nothing herein contained shall be deemed to take from the board of public works any of its power in relation to pavements.

696. **Written notice to street supervisor of excavations.** It shall be unlawful for any person in the employ of Salt Lake City to make or cause to be made any excavation in any public street, or to remove any gravel or other similar thing from any street, unless he, or the head of the department under

whose direction the work is being done, has first notified the street supervisor in writing of the intention to make such excavation and of the time when and place where such excavation will be made.

697. Street excavations. It shall be unlawful for any person to make any excavation in any street, lane or alley, or remove any pavement or other material forming any street or improvement thereon, without a permit from the board of public works, signed by the chairman.

698. Permits. Applications. Bond. No permit for any street excavation shall be issued until written application therefor has been made, signed by the party making the excavation, or by the party at whose instance it is to be made; nor until the applicant has filed, with the board, a bond of indemnity to the city, with sureties to be approved by the board, conditioned that the person making the excavation will erect and maintain about said excavation, and until the street is restored to its normal condition, sufficient guards, signals, barricades and lights, to prevent accident, and will, as soon as may be after the completion of said work, restore said street to the same condition in which it existed prior to said excavation, and will save the city harmless from any and all claims, liabilities, demands or damages, for any and all injuries to person or property arising in any manner out of or by reason of any such excavation. Such bond shall be in the sum of five thousand dollars, for excavations in all streets; *provided, however,* that whenever paving or macadam is removed, in the process of any street excavation, such paving or macadam must be replaced under the direction of the board of public works, and at the expense of the party making the excavation; and provided further, that any person operating in or using any of the streets under a franchise, or any person who in the pursuit of his or its regular calling, has frequent occasion to open or make excavations in the public streets, may file a bond with a corporate surety in the sum of ten thousand dollars, conditioned as above, to cover all excavations made for a period of two years from the date of filing, but permits for

all excavations, except for the replacement of street railway rails and ties in unpaved streets, must be applied for and issued before it shall be lawful to make any such excavation.

699. Failure to replace street. It shall be unlawful for any person having made an excavation in any street, whether under a permit or otherwise, to fail, neglect or refuse, for a period of ten days after notice from the board, to restore said street to its normal condition.

700. Excavations must be guarded with barricades and lights. It shall be unlawful for any person, by or for whom any excavation is made in a public street for any purpose, to fail to cause a rail or other sufficient fence to be placed so as to enclose such excavation, together with the dirt, gravel or other material thrown therefrom, and to maintain such fence during the whole time for which such excavation continues; and it shall be unlawful also for any person to fail to have a lighted lantern, or some other proper and sufficient light fixed to some part of such fence, or in some other proper manner over or near the excavation, and over or near the dirt, gravel or other material, taken therefrom, and so kept from the beginning of twilight through the whole of every night during all the time such excavation exists. It shall be unlawful for any person to maliciously or wantonly, and without legal cause, to extinguish, remove or diminish a light, or to tear down or remove any rail, fence or barricade fixed in accordance with the provisions of this section.

701. Permit to occupy street with building material. It shall be unlawful for any person to occupy or use any portion of a public street for the erection or repair of any building upon land abutting thereon, without first making application to and receiving from the city council, a permit for the occupation or use, for building purposes, of such portions of streets, and for such periods of time and under such limitations and restrictions as may be required by ordinance or by the public convenience; provided that no permit shall be granted to occupy

more than fifteen feet from the curb line, and any such permit may be revoked by the city council, at any time, when the holder thereof fails to comply with any rule or regulation under which it is granted, or when, in the opinion of the city council, the public good requires such revocation. No part of a street other than that so allotted shall be used for depositing materials for work to be done or for receiving rubbish arising from such work, and all such rubbish shall be carried away by the person to whom the permit is granted, and at such times as the city council or the supervisor of streets may direct, and in case of the neglect or refusal of such person so to remove such rubbish, it shall be removed, at his expense, by the supervisor of streets.

702. Fence and walk around street used for building material. It shall be unlawful for any person to occupy any portion of any street while erecting or repairing a building, or making an excavation, or for any other purpose, even with the permit provided in the last preceding section, unless he shall first build around the portion of the street to be occupied, a tight board fence at least five feet high, surrounded by a good, substantial plank walk, at least four feet in width. All openings in said fence must be provided with gates opening inward. Any person so occupying any portion of any street shall be responsible to the city for all injuries sustained by any person in consequence of any failure to strictly comply with the provisions of this section.

703. Piling or mixing mortar, etc., on pavements. It shall be unlawful to place or pile, or to cause or permit to be placed or piled, any sand, gravel, lime, cement, mortar, plaster, concrete, or any other like substance or mixture, or to allow the same to remain on any portion of any paved street or sidewalk in Salt Lake City; or to make or mix, or to cause or permit to be made or mixed, any mortar, plaster, concrete or any other like substance or mixture on any portion of any paved street or sidewalk in Salt Lake City.

704. Depositing matter in streets prohibited. It shall be

unlawful for any person to intentionally or carelessly throw, cast, put into, drop or leave in any street or public place, any stones, gravel, dirt, manure, garbage, or rubbish.

705. Distribution of advertisements on streets prohibited.

It shall be unlawful for any person to distribute in any manner any circular, hand bill or any advertisement whatever in and upon the following portions of streets of Salt Lake City, to-wit: East Temple Street from South Temple Street to Fourth South Street; South Temple Street from First West Street to Second East Street; First South Street from First West Street to Second East Street; Second South Street from First West Street to Second East Street; Third South Street from First West Street to Second East Street; West Temple Street from South Temple Street to Fourth South Street; State Street from South Temple Street to Fourth South Street and all of Commercial, Market and Richards Streets.

706. Obstructions. It shall be unlawful for any person to place upon any street:

First. Any broken ware, glass, filth, rubbish, refuse matter, ice, water, mud, garbage, ashes, tin cans or other like substances.

Second. Any wagons, lumber, wood, boxes, fences or fencing or building material, dead trees, tree stumps, merchandise or other things which shall obstruct such street or any part thereof, or the free use and enjoyment thereof, or the free passage over and upon the same, or any part thereof, without the express permission of the city council, and then only in accordance with the strict terms of such permission.

707. Hitching posts. Iron rings in paved districts. Any property owner may set hitching posts in the street in front of his property, not more than one foot from the water ditch; *provided*, that said posts do not exceed four feet in height and are set in a good, substantial manner, suitable for securing horses and other animals; *provided further*, that where streets

are paved and curbed, no posts shall be used, but iron rings shall be sunk in the sidewalk in lieu thereof.

708. Teams and horses to be hitched. It shall be unlawful for any person to leave any horse, mule or team, standing in any street or public place, without rider or driver unless such horse, mule or team is securely fastened to a hitching post, hitching ring or hitching weight of not less than twenty pounds.

709. Names of streets. All streets shall be known by the names by which they are designated in the official plats filed in the office of the city engineer, unless such names have been or shall be changed by ordinance.

710. System of numbering. Initial point. It shall be the duty of the city engineer, in numbering the houses or buildings upon the streets of Salt Lake City, to adhere in all respects to the following system of numeration, allowing fifty numbers to each side of all blocks of six hundred and sixty feet in length, except that between Ninth and Tenth South Streets and Tenth and Eleventh South Streets, two hundred numbers shall be allowed to each side of the street.

The initial point shall be the junction of East Temple and South Temple Streets, and the numbering shall extend thence east, west, north and south, the even numbers always on the right and odd numbers on the left, looking away from the initial point.

To number East Temple Street and all other streets parallel therewith, and lying south of South Temple Street, commence at the southeast corner of the junction of said streets severally with South Temple Street, and number one, with number two opposite, and number southward to the southern limits of the city.

To number East Temple Street and all other streets parallel therewith, lying north of South Temple Street and west of plat "I," commence at the northwest corner of the junction of said streets severally with South Temple Street, and number

one, with number two opposite, and number northward to the northern termination of said streets respectively.

To number South Temple Street and all other streets parallel therewith and lying east of East Temple Street and south of South Temple Street, commence at the northeast corner of the junction of said streets with East Temple Street, and number one, with number two opposite, and number eastward to the eastern limits of the city; provided, that in numbering the north side of South Temple Street, east of State Street, the numbers shall be so placed as to run consecutively with the numbers on the south side of said street, and as nearly opposite each other as the difference in size of the blocks will admit.

To number South Temple Street and all streets running parallel therewith, and lying west of Main Street, commence at the southwest corner of the junction of said streets respectively with Main Street, and number one, with number two opposite, and number westward to the western termination of said streets.

All numbers of houses on streets running east from Main Street shall have added thereto the letter E., signifying east; all numbers of houses on streets running west from Main Street shall have added thereto the letter W., signifying west; all numbers of houses on streets running south from South Temple Street and west of Second East Street shall have added thereto the letter S., signifying south; and all numbers of houses on streets west of A Street, running north from South Temple Street, shall have added thereto the letter N., signifying north.

711. Numbering in plats "D," "G" and "I." In numbering those portions of the city included in plats "D," "G" and "I," lying north of South Temple Street and east of State Street, there shall be allowed twenty-five numbers to each side of all blocks of three hundred and thirty feet.

To number A Street and all streets running parallel therewith(commence at the west corner of the junction of said streets with South Temple Street, and number one, with num-

ber two opposite, and number northward to the northern termination of said streets respectively.

To number First Street commence at the northeast corner of the junction of said street with State Street and number 101 with number 102 opposite, and number eastward to the eastern terminus of said street; and to number all other streets running parallel with First Street, begin with the same number as the number assigned to the corresponding point on First Street.

712. Commercial and other streets. Commercial Street, and all other streets running through any block, six hundred and sixty or three hundred and thirty feet in length, but not extending to the initial points, shall be numbered separately, beginning with the same number as the number assigned to the corresponding point on streets running parallel therewith, and following in the same order and general system described in Sections 710 and 711.

713. Numbering other streets. In numbering the houses and buildings upon all other streets, the city engineer shall follow as nearly as possible the system prescribed in the foregoing sections; and all numbers on such streets shall conform as nearly as may be to corresponding points on parallel or nearly parallel streets, the numbering upon which is in accordance with the provisions of sections 710 and 711.

714. Numbering system must be followed. It shall be unlawful for any person to number any house or building in any manner other than that prescribed in this chapter, and it shall be unlawful for any block or row of houses to be hereafter designated by a distinct numbering of the houses situated therein, and it shall be the duty of the owners of all such blocks or rows of houses, now numbered in any manner other than that prescribed in this chapter, to immediately cause said numbering to conform to the provisions of this chapter.

715. Paving districts. The following paving districts are hereby created, defined and established in Salt Lake City, viz.:

District No. 1. All that portion of State Street lying and being between the north line of Fourth South Street, and the south line of South Temple Street.

District No. 2. All that portion of East Temple Street lying and being between the north line of Fourth South Street and the south line of South Temple Street.

District No. 3. All that portion of West Temple Street lying and being between the north line of Fourth South Street and the south line of South Temple Street.

District No. 4. All that portion of First South Street lying and being between the east line of West Temple Street and the west line of State Street.

District No. 5. All that portion of Second South Street lying and being between the east line of West Temple Street and the west line of State Street.

District No. 6. All that portion of Third South Street lying and being between the east line of West Temple Street and the west line of State Street.

District No. 7. All of South Temple Street from the west line of State Street to the east line of West Temple Street, and all of First South Street from the east line of State Street to the west line of Second East Street, and all of Second South Street from the east line of State Street to the west line of Second East Street, and all of Third South Street from the east line of State Street to the west line of Second East Street; and all of First South Street from the west line of West Temple Street to the east line of First West Street, and all of Second South Street from the west line of West Temple Street to the east line of First West Street.

District No. 8. All of Market Street.

District No. 9. All of Franklin Avenue.

District No. 10. All that portion of State Street lying and being between the north line of Fourth South Street, and the north line of Eighth South Street.

District No. 11. All that portion of South Temple Street, lying and being between the east line of West Temple Street and the east line of Fourth West Street.

District No. 12. All that portion of First South Street

from the east line of First West Street to the east line of Fifth West Street.

District No. 13. All that portion of Second South Street from the east line of First West Street to the east line of Sixth West Street.

District No. 14. All that portion of State Street from South Temple Street to the south line of North Temple Street.

District No. 15. All that certain public alley running through lots 3, 4, 5 and 6 in block 70, plat "A," Salt Lake City Survey, more particularly described as follows: An alley 14.06 feet wide or 7.03 feet on either side of the center line beginning 4.85 feet west of the southeast corner of lot 4, Block 70, plat "A," Salt Lake City Survey, and running thence north 568.85 feet, and thence 10 feet wide or five feet on either side of the center line running east 115.7 feet to the west line of Commercial Street.

District No. 16. All that portion of Second South Street lying between the west line of Second East Street and the west line of Third East Street.

716. Width of roadways and sidewalks established. Every street within the corporate limits of Salt Lake City, which is thirty-three feet or more in width, shall be so divided as to provide for a roadway in the central part of the street and for sidewalks, of as nearly equal width as may be, on either side of the street. The lines separating the roadway from the sidewalks shall be known as curb lines, and they shall, in every case, except on Vine, Darwin, Wall, West Capitol, and Grape Streets, on Canyon Road, and on such other streets as shall hereafter be designated by ordinance, be parallel to the monument lines established by the official survey of Salt Lake City.

For the purpose of this chapter, in defining the widths of roadways and sidewalks on the various streets of Salt Lake City, the streets shall be divided into two classes. One class shall be designated "streets with railways," and shall include all streets, or parts of streets, which are now occupied by the tracks of any railway or street railway company, and also all streets and parts of streets which are now included in any ex-

isting railway or street railway franchise, and not so occupied. The other class shall be designated "streets without railways," and shall include such of the streets and parts of streets, which are not now included in any existing railway or street railway franchise, as are not occupied by the tracks of any railway or street railway company.

On "streets with railways," unless otherwise specially provided, the widths of the roadway shall be as follows:

On streets from 2 rods to 3 rods in width, equal to the total width of the street less 15.5 feet.

On streets from 3 rods to 53 feet in width, 33 feet.

On streets from 53 feet to 77 feet in width, equal to the total width of the street less 20 feet.

On streets from 77 to 81 feet in width, 57 feet.

On streets from 81 to 91 feet in width, equal to the total width of the street less 24 feet.

On streets from 91 to 107 feet in width, 67 feet.

On streets more than 107 feet in width, equal to the total width of the street less 40 feet.

On "streets without railways," unless otherwise specially provided, the widths of the roadways shall be as follows:

On streets from 2 to 3 rods in width, equal to the total width of the street less 16.5 feet.

On streets from 3 rods to 53 feet in width, 33 feet.

On streets from 53 feet to 62 feet in width, equal to the total width of the street, less 20 feet.

On streets from 62 feet to 82 feet in width 42 feet.

On streets more than 82 feet in width, equal to the total width of the street less 40 feet.

In every case, the width of the sidewalk shall be as nearly equal as may be to one-half of the difference between the total width of the street and the width of the roadway.

Hereafter, sidewalk pavements which cover only a part of the sidewalk shall be laid with the edges parallel to the curb line, and at such distance from it as the city engineer may direct.

717. **Exception. Part of State Street.** The width of the

roadway of that portion of State Street in Salt Lake City, lying between the south line of North Temple Street and the north line of South Temple Street, is hereby established at forty-two feet between the curb lines; and the width of the sidewalk on said portion of State Street shall be equal, as nearly as may be, to one-half of the difference between the total width of the said street, and the width of the roadway as hereby established.

718. Exception. Part of East Temple Street. The width of the roadway on that portion of East Temple Street in Salt Lake City, lying between the south line of Second North Street and the north line of South Temple Street, is hereby established at seventy-six feet between the curb lines; and the width of the sidewalks on said portion of East Temple Street shall be equal, as nearly as may be, to one-half of the difference between the total width of the said street and the width of the roadway as hereby established.

719. Freight wagons, bicycles and tricycles on a certain portion of East Temple Street. It shall be unlawful for any person to drive any dray, farm or delivery wagon, or other freight vehicle over East Temple Street between Ninth South Street and the northerly side of Tenth South Street; *provided*, that persons owning, or residing on property abutting on said portion of East Temple Street, may drive or cause to be driven over said portion of East Temple Street any vehicle in going to and from their residences or premises. It shall be unlawful for any person or persons to ride or drive a bicycle or tricycle over any portion of the roadway of East Temple Street, between Ninth South Street and Tenth South Street.

720. Riding bicycles upon sidewalks in certain districts prohibited. It shall be unlawful for any person to ride any bicycle, tricycle, velocipede or other riding machine or vehicle, upon any public sidewalk within the district bounded by the exterior lines of the following streets:

Fourth West Street from the north side of South Temple Street to the south side of Sixth South Street, thence east on

the south side of Sixth South Street to the east side of Eighth East Street, thence north on the east side of Eighth East Street to the south side of South Temple Street, thence west to the east side of J Street, thence north on the east side of J Street to the north side of Third Street, thence west on the north side of Third Street to City Creek, thence down City Creek to the west side of State Street, thence south on the west side of State Street to north side of South Temple Street to the place of beginning; *provided*, that within said district, except where streets are paved or bicycle paths have been constructed, bicycles may be ridden on sidewalks between the first day of October and the first day of April following.

721. Speed. It shall be unlawful for any person to ride any such riding machine or vehicle upon any sidewalk at a speed greater than four miles per hour, upon any bicycle path at a speed greater than eight miles per hour, or upon the roadway in any street at a speed greater than ten miles per hour; or to ride upon any such machine without having at least one hand on the handle bars and both feet on the pedals; or, within the district above described, to pass any street intersection or turn any corner when any pedestrian or vehicle is near, or at any place where any person may be entering or leaving any street car at any intersection, at a speed greater than four miles per hour, nor shall more than two such riding machines travel abreast, nor shall it be lawful for any person to carry any child upon any such riding machine. All persons riding or wheeling any bicycle on any bicycle path or sidewalk, shall, when meeting another, turn to the right.

722. Bicycle paths. Salt Lake City, by and through its proper officers and agents, shall at once commence to build and construct, and shall continue with reasonable dispatch until completed, suitable and proper bicycle paths upon and along all the public streets, situated and being within the district bounded by the north line of South Temple Street, the east line of Fifth East Street, the south line of Sixth South Street and the west line of Second West Street; *provided*, that on

South Temple Street, First South and Second South Streets said paths shall extend to and include Tenth East Street on the east, and on South Temple Street to and including Third West Street on the west, and on West Temple Street from South Temple Street to First North Street, and on North Temple Street from East Temple to Third West Street, and on First North Street from West Temple Street to Third West Street.

723. **Same Construction.** Said bicycle paths shall be constructed five feet in width on both side of said streets in said district along the whole extent of and adjoining the sidewalks thereof. Where necessary for irrigating, suitable ditches shall be excavated in the said streets five and one-half feet from the outer edge of the sidewalk running parallel therewith, and all irrigating water shall be run in said ditches. The ditches running along said streets where said paths shall be constructed as hereinabove designated, as well as all other depressions and excavations on said strip of five feet, shall be filled and the surface of the ground made even. The surface of said paths shall be at least eight inches higher and above the surface of the regular street adjoining said paths. Along such place or places where no irrigating ditches shall be excavated between said paths and the street, the outer wall of said path or paths shall be retained and protected by some suitable structure for that purpose. When constructed, all rock or other obstructing material shall be removed from said paths, and the surface of said paths shall be covered with cinders or gravel, and shall be rolled and made even. All carriage steps and hitching posts shall be placed on the outer edge of said paths or across or on the outer edge of said ditches between said paths and the street, but not on said paths.

724. **Same. Repairs.** It shall be the duty of the supervisor of streets of said city to maintain and keep said bicycle paths in good repair, and to keep the same free from all rocks and other obstructions.

725. **Same. Obstructions.** It shall be unlawful for any person to walk or ride upon the said paths, except when riding

or wheeling a bicycle, and, except in the necessary crossings of said paths to and from the sidewalks and adjoining premises; nor shall it be lawful for any person to ride, drive, or lead or permit any animal, or drive, run, operate or permit any vehicle except a bicycle thereon, except in the said necessary crossing of said paths to and from the sidewalks and adjoining premises. And it shall be unlawful for any person to place garbage, rubbish or obstacles or any obstruction on said paths.

726. License. It shall be unlawful for any person to ride any bicycle on any public street or public place within this city, unless a license has been procured for the use thereof as hereinafter provided. Each bicycle or other riding machine, shall be separately licensed, and such license shall be issued and signed by the mayor and attested by the city recorder under the seal of the city after the payment by the applicant for such license to the city treasurer of the sum of one dollar for each license. Such license shall be effective until the twenty-eighth day of February following its issuance, and shall contain the name of the owner, the make, the style and number of such bicycle or riding machine, and may be transferred with the machine for which issued, but not otherwise. There shall be issued with such license a tag stamped with the number of the license, which tag must be attached to the head or steering gear of such machine, *provided*, that such tag shall not be of the same design or color for two consecutive years.

727. Bicycle path fund. The city recorder shall keep a complete record of all licenses issued under the provisions of this chapter. All moneys received by the city treasurer from such licenses shall be set apart and used as a fund for the construction of the bicycle paths provided for in this chapter.

728. Bicycles to be provided with gongs. It shall be unlawful for any person to ride or use a bicycle, tricycle, velocipede or other riding machine or apparatus in any of the public streets, avenues or other highways of the city without having in connection therewith at all times a gong of sufficient sound to warn persons of its approach, and using the same in warning persons of its approach.

729. **Penalty.** Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than one hundred dollars, or by imprisonment in the city jail not more than one hundred days, or by both such fine and imprisonment.

CHAPTER LII.

SUPERINTENDENT OF WATERWORKS.

730. Appointment. Compensation. The mayor shall have the power to appoint, during the term for which he is elected, subject to confirmation by the council, a competent person to the position of superintendent of waterworks, who shall hold office until the Monday next succeeding the expiration of the term of the appointing power. Such officer shall receive as compensation fifteen hundred dollars per annum, which shall be in full for all services rendered the city and shall be payable monthly as are the salaries of other city officials.

731. Oath. Bond. The superintendent of waterworks shall, before assuming the duties of his office, take and subscribe the constitutional oath of office, and shall give a bond to the city in the sum of five thousand dollars.

732. Employees. Appointment. Compensation. The superintendent of waterworks may appoint, subject to confirmation by the council, the following named assistants and employees:

One clerk at a salary of one thousand dollars per annum;

One store and timekeeper at a salary of seven hundred and eighty dollars per annum;

Three tankmen at High Line at a salary of seven hundred and eighty dollars each per annum;

Three tankmen at Brick Tank at a salary of seven hundred and eighty dollars each per annum;

One tankman at Parley's Reservoir at a salary of seven hundred and twenty dollars per annum;

Two tankmen at Thirteenth East reservoir at a salary of seven hundred and eighty dollars each per annum.

Two tankmen at Twentieth Ward tank at a salary of seven hundred and eighty dollars each per annum.

One stenographer for the waterworks, street, health and

land and water commissioner's departments at a salary of seven hundred and twenty dollars per annum.

Such salaries shall be paid monthly as are the salaries of other city employees.

The superintendent of waterworks shall also have power to appoint valvemen, assessors of water rates, foremen of street sprinkling and such other employees as the necessities of his office may demand, in such numbers and at such compensation as the city council may authorize.

CHAPTER LIII.

SUPERVISOR OF STREETS.

733. **Appointment. Compensation.** The mayor shall have the power to appoint, during the term for which he is elected, subject to confirmation by the council, a competent person as supervisor of streets, who shall hold office until the Monday next succeeding the expiration of the term of the appointing power. The compensation of such officer is hereby fixed at nine hundred dollars per annum, payable monthly as are the salaries of other city officers.

734. **Oath. Bond.** The supervisor of streets shall, before assuming the duties of his office, take and subscribe the constitutional oath of office, and shall furnish a bond to the city in the sum of five thousand dollars.

735. **Consolidation with other office.** The position of supervisor of streets may be consolidated with that of water-master, whenever in the judgment of the mayor and city council, the duties of the two offices can be best performed by one man. In case of consolidation, the person holding the combined offices shall be entitled to draw the combined salaries, but shall be required to furnish only one bond, which shall be in a sum equal to that prescribed for the office which requires the larger bond.

736. **Assistants. Appointment. Compensation.** The supervisor of streets shall have the power to appoint, during the term for which he is appointed, subject to confirmation by the council, a chief clerk at a salary of one thousand dollars per annum, and a poll tax collector at a salary of nine hundred dollars per annum. The supervisor of streets shall also have power to employ foremen, stablemen, engineers, laborers and teams in such manner and at such compensation as the necessities of his office may demand, and the city council authorize.

737. **Duties. Reports.** It shall be the duty of the supervisor of streets to see that all ordinances and orders of the city council relating to streets, sidewalks and ditches are complied with. He shall make a full report quarterly in writing to the city council of all work done and moneys expended in his department. He shall take charge of all tools, materials and property belonging to the city, and used in his department; and see that all ordinances, orders and regulations respecting the use or occupation of portions of streets for the purpose of erecting, altering, repairing or removing buildings are observed and enforced.

CHAPTER LIV.

TELEGRAPH, TELEPHONE AND ELECTRIC WIRES AND POLES.

738. **Bond to the city.** It shall be unlawful for any person to erect any telegraph, telephone, electric light or electric railroad poles within the corporate limits of Salt Lake City, unless he has given a bond to the city in the sum of twenty-five thousand dollars, conditioned that he will indemnify and save the city harmless from any and all damages that may be caused by reason of the erection, maintenance, management or use of such telegraph, telephone or electric light poles, or the wires thereon in said city. Such bond shall be approved by the mayor and filed with the recorder before the erection of any telegraph, telephone or electric light poles.

739. **Permits.** It shall be unlawful for any person to erect any telegraph, telephone, electric light, electric railroad or other poles in any of the streets of Salt Lake City except in strict pursuance of a permit from the city engineer, which permit must be on the ground during the time the work of erecting any such pole or poles is in progress, and must be freely exhibited to any person or city officer asking to examine it; nor shall any such new pole be erected or old one replaced in or near the center of any street or avenue less than one hundred and thirty-two feet wide. In all streets of lesser width such poles shall be located at such points near the curb line as may be indicated by the city engineer.

740. **To whom issued.** No permit for the erection of any telegraph, telephone, electric light, electric railroad or other poles in any of the streets of Salt Lake City shall be issued to any person, unless he is the holder of a franchise from the city, granting certain specified and privileged uses of said streets, *provided* that a copy of such franchise shall be placed on file with the city engineer for his guidance, and *provided*, that

nothing in this section shall be construed to authorize the erection of any pole without a permit from the city engineer.

741. Applications. All applications for permits to erect poles must be in writing addressed to the city engineer, must be signed by the person desiring to erect the poles therein specified, must state the place or places where it is desired to erect poles, and must be accompanied by a fee of one dollar for each pole, permission to erect which is applied for. Such application must be left with the city engineer and be filed in his office.

742. When permits not granted. It shall be unlawful for any person to erect or to cause to be erected any pole or poles in any street when the erecting thereof will in any manner interfere with any sewer, sewer connection, gas or water main or pipe, or which will in any way interfere with the free use of said streets, and the city engineer is hereby prohibited from granting any permit for the erection of poles, the setting of which will in any manner violate this section.

743. Poles in street intersections prohibited. It shall be unlawful for any person to erect or maintain any pole or other obstruction in the intersection of any streets, except in the center thereof, and then only for the purpose of lighting said streets.

744. Size of poles. Manner of erection. It shall be unlawful for any person to erect any telegraph, telephone or electric light poles of a size less than six inches in diameter at the top, or which varies more than six inches from the perpendicular when erected.

745. Finish of poles. It shall be unlawful for any person to maintain any telegraph, telephone or electric light pole unless such pole is peeled, neatly trimmed of knots, presenting a smooth appearance and painted black for a distance of ten feet above the surface of the street grade, and the balance of such pole painted white.

746. **Height of wires.** It shall be unlawful for any person to attach any telegraph, telephone or electric light wire to any pole in the streets of Salt Lake City at a distance of less than thirty feet from the grade of the street at the base of the pole. It shall likewise be unlawful for any person to attach any wire, except guy wires, to any pole already having wires thereon used for a different purpose, at a distance of less than three feet from wires previously attached, *provided*, that this section shall not be construed to prevent any person already having wires attached to a pole, from attaching additional wires at a distance of less than three feet, nor from preventing any person when authorized or directed by the city engineer, from attaching wires to poles at a distance of less than three feet from existing wires when the new wires and the existing wires are used for similar currents; *provided further*, that when directed by the city engineer, for the purpose of crossing other wires or other obstructions, the height and distance of wires may be varied.

747. **Number of wires limited.** It shall be unlawful for any person to string more than one hundred separate wires upon any telegraph, telephone or electric light pole.

748. **Fire alarm or police telegraph.** In case the corporation of Salt Lake City desires at any time to put in operation any fire alarm or police telegraph system, it reserves to itself the right to use the top of, or a space near the top of, any and all telegraph and telephone poles, free of expense, for the purpose of attaching wires thereto for use in said fire alarm or police telegraph, and the granting of any franchise to any person, copartnership or company to erect poles for any of the purposes indicated in this chapter shall be with the above reservation of privilege or right.

749. **Poles not to be removed or injured.** It shall be unlawful for any person to wilfully or negligently injure, pull down, break or deface any telegraph, telephone or electric light pole or wire erected or standing in the streets of Salt Lake City.

750. **Penalty.** Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than one hundred dollars, or by imprisonment in the city jail not more than one hundred days, or by both such fine and imprisonment.

CHAPTER LV.

TREASURER.

751. Compensation. The compensation of the treasurer is hereby fixed at eighteen hundred dollars per annum, which shall be in full for all services rendered the city, and shall be payable monthly as are the salaries of other city officers.

752. Oath. Bond. The treasurer shall, before assuming the duties of his office, take and subscribe the constitutional oath of office, and shall furnish a bond to the city in the sum of two hundred and fifty thousand dollars.

753. Assistants. Appointment. Compensation. The treasurer shall have power to appoint, during the term for which he is elected, subject to confirmation by the city council, the following assistants, who shall hold office until the Monday next succeeding the expiration of the term of office of the appointing power:

One deputy treasurer at a salary of thirteen hundred and eighty dollars per annum;

One clerk at a salary of nine hundred dollars per annum;

One collector of licenses at a salary of twelve hundred dollars per annum;

One assistant collector of licenses at a salary of nine hundred dollars per annum;

One collector of delinquent water rates at a salary of nine hundred dollars per annum;

Such salaries shall be payable monthly as are the salaries of other city officers.

754. Deputy. Oath. Bond. The deputy treasurer shall, before assuming the duties of his office, take and subscribe the

constitutional oath of office, and shall furnish a bond to the city in the sum of ten thousand dollars.

755. Custodian of city funds. The treasurer shall receive all moneys belonging to the city. He shall disburse city funds only upon warrants signed by the auditor, except in payment of bonds and interest coupons. He shall keep in suitable books, a full account of all receipts and disbursements, with the names of persons paying or receiving such funds, and the objects thereof, and shall, on or before the fifteenth day of January and the fifteenth day of July, in each year, present to the city council a full and detailed report of his receipts and disbursements. He shall make a settlement with the auditor at the end of every month and turn over all warrants, interest coupons, bonds and other evidence of indebtedness of the city, redeemed by him during the month, taking his receipt therefor; such evidence of indebtedness shall be cancelled by him before delivery by writing or stamping on the face thereof the word "paid" and the date of payment.

756. Delivery of property to successor. The treasurer's books of account shall be the property of the city, and shall, together with moneys, papers or other property in his possession belonging to the city, at the expiration of his term of office, be delivered to his successor.

757. Collector of special taxes. The treasurer is, ex-officio, collector of special taxes.

CHAPTER LVI.

VACANCIES.

758. **How filled.** In case any vacancy shall exist in any elective office of the city, except the office of city councilman, the mayor shall appoint, subject to confirmation by the council, a suitable person to fill such vacancy, who shall qualify and give bond in the same manner, perform the same duties, exercise the same powers and be subject to the same liabilities as the officer whose office shall become vacant.

CHAPTER LVII.

VEHICLES.

759. **Numbers.** Every person licensed under the provisions of Section 400 shall receive from the city recorder a number for each vehicle licensed, and it shall be unlawful for such person to use his vehicle unless he has caused the said number to be plainly painted in figures at least one and one-half inches in length in a conspicuous place on the outside of each side of the vehicle, and on the lamps thereof; or to use said vehicle unless said figures are plain and distinct at all times during the continuance of his license; and it shall be unlawful for such person, upon the expiration of such license, or upon the revocation of the same, to permit or suffer said numbers to remain on said vehicle.

760. **Hack driving without license prohibited. Exception.** It shall be unlawful for any person to drive any hack, cab, or other public passenger vehicle upon any of the streets of Salt Lake City unless he has complied with the provisions hereinbefore mentioned, except said person is driving a "call carriage" from a duly licensed livery stable.

761. **Soliciting for carrying passengers prohibited.** It shall be unlawful for any person to solicit in any manner upon the streets, or in public places, for the carrying of passengers in any passenger vehicle, unless he has first complied with the provisions hereinbefore mentioned.

762. **City recorder to keep record of licenses.** It shall be the duty of the city recorder to keep a complete and accurate record of all licenses issued under the provisions of Section 400, which record shall show the numbers mentioned in Section 759.

763. Licensed public vehicles to stand fifty feet apart. It shall be unlawful for any person to stand any licensed public vehicle upon any street in Salt Lake City, unless he is at the time actually engaged, at a distance of less than fifty feet from any other licensed public vehicle at the time standing on such street; or to stand a licensed public vehicle on any cross walk or the intersection of any streets, or within ten feet of any cross walk or intersection of any streets at any time; *provided*, that licensed public passenger vehicles may stand less than fifty feet apart in any street, except on cross walks and street intersections, at or near a passenger depot for a period of ten minutes before and ten minutes after the arrival of any passenger train. The words "licensed public vehicle" shall be deemed to include the horse or horses at the time thereto attached.

764. Furniture vans excluded from certain streets. It shall be unlawful for the owner, driver or other person having charge of any furniture van, moving van or other covered wagon to cause or permit the same to remain or to stand upon any of the following named streets in Salt Lake City, to-wit: East Temple Street from South Temple to Market Street; First South, Second South and Third South Streets from West Temple Street to State Street; Commercial Street, Richards Street and Market Street, unless the said van or wagon is engaged at the time in receiving or delivering freight or goods.

765. Driver to remain within six feet. It shall be unlawful for any person following the employment of driver of any licensed public vehicle, or soliciting patronage for any such vehicle, to leave his vehicle, for a distance of more than six feet, except for the purpose of securing, when requested, the baggage of his patron.

766. Fraud prohibited. It shall be unlawful for the driver of any licensed public vehicle or for any person soliciting patronage for any such vehicle, to induce or attempt to induce any person to employ him, by knowingly or wantonly misinforming or misleading such person as to the time or place of

the arrival or departure of any railroad train or other conveyance, or the location of any railroad depot, office, station or ticket office, or the location of any hotel, public place, or private residence within said city, or to practice any deceit, fraud or misrepresentation in any manner whatever relative to matters pertaining to his business.

767. Shall not enter depots. It shall be unlawful for the driver, porter or runner for any licensed public vehicle, to enter into or upon any railroad depot, or upon any passage or landing leading thereto, while actually engaged in his employment as such; *provided, however,* that nothing herein contained shall be construed to prevent the persons herein named from entering in and upon any railroad car, depot or passage leading thereto, for the purpose of getting the baggage of any passenger arriving at or departing from the city, after first having obtained and exhibited to any policeman or person in charge of such railroad car, depot, passage or landing, the check or checks of such passenger for such baggage.

768. Unlawful to drive into vehicle or person. It shall be unlawful for the driver of any vehicle, whether licensed or not, to wilfully or negligently drive or back his vehicle into or against any other vehicle or any person.

769. Disorderly conduct prohibited. It shall be unlawful for the driver, porter or runner of any licensed public vehicle at any time or place when waiting for or engaged in his employment, to obstruct any street or side-walk, make any unusual noise or disturbance, unnecessarily snap or flourish his whip, use any indecent, profane or obscene language, or be guilty of any boisterous or loud talking, or solicitation of passengers, or business, or any disorderly conduct, or to use any language or be guilty of any conduct calculated to disturb the public peace or good order of the city, or to harass, vex, annoy or disturb any person, or to interfere with, obstruct or impede the free passage of passengers or other persons to or from any depot, train or depot grounds, or to seize or grasp or interfere

with any baggage carried by or belonging to said passengers or persons.

770. Speed regulated. It shall be unlawful for any person to drive any licensed public vehicle through any street at a greater rate of speed than six miles per hour, or to drive any such vehicle around any street corner at a greater rate of speed than four miles per hour.

771. Lighted lamps at night. Door handle. It shall be unlawful for any person to drive a licensed public passenger vehicle in the night time, unless he shall have fixed upon some conspicuous part of the outside thereof two lighted lamps with plain glass sides, having the number of such vehicle in plain, legible figures upon each of the outer sides of such lamps in such manner, that the number may be distinctly seen, or to drive at any time a vehicle which shall not have a knob or handle upon the inside of each door, by which said doors may be easily opened from the inside.

772. Rates of fare. It shall be unlawful for the owner or driver of any licensed public passenger vehicle to charge for the use thereof in excess of the following rates of fare:

1. For conveying each passenger from any hotel to any depot in the city, or from one depot to another, fifty cents.

2. For conveying each passenger not exceeding one mile, fifty cents.

3. For each additional mile or part of a mile, fifty cents.

4. For conveying children between five and fourteen years of age, not to exceed half the above price may be charged for like distances, but for children under five years of age no charge shall be made.

5. For use of any such vehicle drawn by two horses, by the day, with one or more passengers, eight dollars.

6. For the use of any such vehicle, by the hour, with one or more passengers, with the privilege of going from place to place and stopping as often as may be desired, two dollars for the first hour, and for each additional hour or part of an hour, one dollar.

7. For the use of any such vehicle, drawn by one horse, or other animal, by the hour, for the first hour, one dollar, and for each additional hour or part of an hour, seventy-five cents.

8. In all cases where the hiring of any licensed public passenger vehicle is not at the time of the hiring specified to be by the hour, it shall be deemed to be by the mile; and for any detention exceeding fifteen minutes, when so working by the mile, the owner or driver may demand at the rate of one dollar per hour.

773. **Rates to be posted in vehicles.** It shall be unlawful for any person to drive a licensed public passenger vehicle, unless there is fixed in such vehicle in manner so as to be conveniently read by any person riding in the same, a card with the name of the owner of such vehicle, the number of his license written or printed thereon, and the rates of fare fixed by this chapter.

774. **Overcharging prohibited.** It shall be unlawful for the owner or driver of any licensed public passenger vehicle to demand, or receive by virtue of a demand, any fare in excess of that provided for in this chapter.

775. **May demand fare in advance.** The owner or driver of any licensed public passenger vehicle shall have the right to demand in advance the fare of any person employing him, and may refuse to convey any person who shall not comply with such demand.

776. **Refusing to convey passengers prohibited.** It shall be unlawful for the owner or driver of any licensed public passenger vehicle, when not otherwise engaged, to refuse to convey any person, with or without baggage, upon demand and tender of the lawful fare, or, having undertaken to convey such person, to thereafter wilfully refuse or neglect so to do.

777. **Shall give number and name.** It shall be unlawful for the owner or driver of any licensed public passenger vehi-

cle, upon being requested so to do, to refuse to give the number of his vehicle, and the name of the owner or driver thereof.

778. Refusing to pay fare. It shall be unlawful for any person, having hired any licensed public passenger vehicle, and having ridden therein, to refuse to pay his fare, not exceeding the rate fixed by this chapter.

779. Automobiles. Speed. It shall be unlawful for any person to run or operate any automobile, auto-car, motor-carriage or other similar self-propelled vehicle, upon any street or in any public park within the corporate limits of Salt Lake City, at a greater speed than eight miles per hour, or over any cross walk at a greater speed than four miles per hour. ✓

780. Same. Number. Registration. It shall be unlawful for any person to run or operate any vehicle mentioned in the foregoing section upon any street or in any public park within the corporate limits of Salt Lake City, unless there is attached to the rear of said vehicle and conspicuously displayed, the number of said vehicle. The number mentioned in this section shall be legibly marked in white upon a dark background, in figures not less than six inches in height, and of the style known as boldface, which number shall be designated by the city recorder, who shall register the name and address of the owner and the number of each vehicle. For such number and registry the recorder shall collect from said owner a fee of one (\$1.00) dollar.

781. Same. Running Idle. It shall be unlawful for any person while in charge of any vehicle mentioned in Section 779 to permit the engine or engines attached to said vehicle to run idle, or to run while the said vehicle is at a standstill, for a greater length of time than fifteen minutes.

782. Same. Exception. Nothing in this chapter shall be deemed to affect or apply to engines, motors or cars which are operated upon fixed rails or tracks. ✓

783. **Penalty.** Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than one hundred dollars, or by imprisonment in the city jail not more than one hundred days, or by both such fine and imprisonment.

CHAPTER LVIII.

WATERWORKS.

(See Section 730)

784. Duty of superintendent. The superintendent shall, under the direction of the mayor and city council, have charge of the reservoirs, water tanks, water mains, fire hydrants and all machinery, property and appurtenances appertaining to the waterworks. He shall have the direction of the putting in of service pipes, street sprinkling and the regulation of the water supply to fire hydrants and to all water takers. He shall report to the mayor and city council annually, or oftener if required, his doings as superintendent and the condition of the waterworks, and make such suggestions as the nature of the service may require.

785. Fire hydrants. All fire hydrants shall be under the control of, and shall be kept in repair by the superintendent of waterworks; *provided*, that the fire department, the engineering department and the street department shall have free access to said hydrants. It shall be unlawful for any other person to open or operate any fire hydrant; or to attempt to draw water therefrom, or to obstruct the approach thereto.

786. Wrenches. Wrenches for fire hydrants shall be furnished by the superintendent to the fire department, the engineering department and the street department. It shall be unlawful for any person having charge of any of said wrenches, to permit the same to be taken from its place of deposit or to be used for any purpose other than that authorized by the superintendent.

787. Written application for water. Whenever any person desires to obtain a supply of water from the city waterworks, he shall make application therefor in writing to the superintendent, and sign an agreement that he will be gov-

erned by such rules and regulations not inconsistent with this chapter, as may be prescribed by the city council for the control of the water supply; said applicant must state the location, kind of building, number of rooms and the entire area of ground to be supplied, and fully and truly state the purposes for which the water is to be used. Said application having been filed, the superintendent of waterworks is authorized to extend, at the expense of the city, the service pipe to the inside line of the curbstone, at a point most convenient for supplying the premises of the applicant. In cases where street paving is contemplated, the abutting property owners must either connect their premises with the water mains before the pavement is laid, or pay the cost of service from main to curb if made thereafter.

788. Stop-cock and key box. To each service pipe there shall be attached at the curb a stop-cock and a key box, which shall be paid for by the water taker and be under the exclusive control of the superintendent.

789. Quality of service pipe. Permit and Fee. All service and other pipes used under ground shall be of cast iron, galvanized iron, extra strong lead or tin-lined lead, (except private pipes where the city council authorizes the use of special material), laid not less than four feet below the surface of the ground, and of sufficient strength to stand the water pressure. All work upon, and alterations or extensions of water pipes, and size of pipes shall be to the acceptance of the superintendent. No extension of service pipes shall be made without first obtaining a permit therefor from the superintendent, for which permit there shall be paid the sum of one dollar; and no extension shall be made to another water taker from the same service pipe without a stop-cock and key box being attached at the junction of such service pipe.

790. Taker only to use water. It shall be unlawful for any water taker to permit any person from other premises, or any unauthorized person to use or obtain water from his

premises or water fixtures, whether inside or outside of his building.

791. Two users on one service pipe. Where two or more parties or premises are supplied from the same service pipe, the failure on the part of either of said parties to comply with this ordinance shall warrant the superintendent in withholding a supply of water through said service pipe until a separate service pipe with stop-cock and key box is put in for each user of water.

792. Pipes to be kept in good repair. All water takers shall keep their service pipes, connections and other apparatus in good repair and protected from frost at their own expense; but no person, except under the direction of the superintendent, shall be allowed to dig into the street or sidewalk for the purpose of laying, removing or repairing any service pipe.

793. Plumbing permit. Report. It shall be unlawful for any person to make any extension of any pipe or water fixture attached to the waterworks system, for any purpose whatever, without first obtaining a permit therefor from the superintendent of waterworks. All persons must within twenty-four hours after the completion of any plumbing work connected with the waterworks system, report the same to the superintendent of waterworks.

794. Fixtures used in water connections. It shall be unlawful for any person to use any kind of stop-cock or draw-cock on any fixture in connection with the waterworks system, except the kind known as a compression cock. Slide valves may be used to fill railroad or other tanks when a waste is not wanted, and where the pipes are thoroughly protected from frost, also for hose connections, or where a separate waste is used. No other than regulation curb boxes and curb and cellar cocks, samples of which shall be kept in the superintendent's office, shall be used in connection with the waterworks. The size of all service pipe shall be determined by the superintend-

ent of waterworks when the application for water is filed, but no service pipe shall be larger than that extending from the main to the curb. All pipes inside of buildings must be of galvanized iron or lead.

795. Waste prohibited. It shall be unlawful for any water taker to waste water, or to allow it to be wasted by imperfect stops, valves, leaky joints or pipes, or to allow tanks or watering troughs to leak or overflow, or to wastefully run water from hydrants, faucets or stops, or through basins, water closets, urinals, sinks or other apparatus, or to use the water for purposes other than those for which he has paid, or to use water in violation of the rules and regulations for controlling the water supply, and the provisions of this chapter.

796. Use without payment prohibited. It shall be unlawful for any person by himself, family, servants or agents to use the water coming through the water mains without first paying therefor as hereinafter provided, or without authority to open any stop-cock, valve or other fixture attached to the system of water supply, or to in anywise injure, deface or impair any part or appurtenance of the waterworks, or to cast anything into any reservoir or tank belonging to said works.

797. Turning on after being turned off prohibited. It shall be unlawful for any person, after the water has been turned off from his premises on account of non-payment of rates or other violation of the rules and regulations pertaining to the water supply, to turn on or allow the water to be turned on, or use or allow the water to be used without authority.

798. Fountains. No fountain attached shall be greater than one-half inch in diameter. There shall be a stop-cock to each fountain attached, which shall be under the control of the superintendent.

799. Sprinklers for lawns. It shall be unlawful to use water for sprinkling except through a nozzle or other sprink-

ling device, which shall not be larger than one-fourth of an inch in diameter.

800. Sprinkling districts. The city is hereby divided into two sprinkling districts. All that portion of the city lying east and north of the following described line is hereby made and declared to be the upper sprinkling district, to-wit:

Commencing at the intersection of First West and Seventh North Streets, and running thence south along First West Street to Second North Street, thence east along Second North Street to Apple Street, thence southeasterly along Apple Street to First North Street, thence east along First North Street to East Temple Street, thence south along East Temple Street to North Temple Street, thence east along North Temple Street to State Street, thence south along State Street to South Temple Street, thence east along South Temple Street to Sixth East Street, thence south along Sixth East Street to Liberty Park. All persons taking water from the mains on South Temple Street east of State Street, and those taking from the mains on Sixth East Street shall be deemed to belong to the upper sprinkling district. All that portion of the city lying south and west of the above described line is hereby made and declared to be the lower sprinkling district.

801. Time for sprinkling. It shall be unlawful to use water for sprinkling lawns, windows and fronts in the upper district during July, August, September and October except between the hours of 5 and 8 a. m. and 5 and 9 p. m.; and in the lower district between the hours of 6 and 8 a. m. and 6 and 9 p. m.; or to sprinkle each one hundred square yards of lawn for more than thirty minutes each day in the upper district, or more than twenty minutes each day in the lower district; provided, that the capitol grounds, public parks, the grounds surrounding the city and county building and other public grounds may be sprinkled during the night at such hours as may be designated by the superintendent of waterworks.

802. Mayor's proclamation. In time of scarcity of water, whenever it shall, in the judgment of the mayor and the

city council, be necessary, the mayor shall by proclamation limit the use of water for other than domestic purposes, to such extent as may be necessary for the public good. It shall be unlawful for any person by himself, family, servants or agents, to violate any proclamation made by the mayor in pursuance of this section.

803. Sprinkling wagons. Sprinkling wagons shall be regulated and controlled by the superintendent of waterworks.

804. Steam boilers. It shall be unlawful for any person to fill any steam boiler used for power purposes from the pipes direct. Such boilers must be provided with a tank and be supplied therefrom.

805. Superintendent to have free access. Free access shall, at all ordinary hours, be allowed to the superintendent or other authorized person to all places supplied with water from the waterworks system, to examine the apparatus, the amount of water used and the manner of its use. Any water taker violating any of the rules and regulations controlling the water supply shall forfeit all payments made and the right to the use of the water.

806. City not liable for damages. The city corporation shall not be held liable for damage to any water taker by reason of a stoppage or interruption of his water supply caused by scarcity of water, accidents to works or mains, alterations, additions, repairs or from other unavoidable cause.

807. Taking water from ditch forbidden. Wherever the water mains are laid, it shall be unlawful for any person to convey the waters of the city from any ditch or place by private pipes for fountains, mechanical or other purposes, except the ordinary irrigation of lots, under the direction of the watermaster, or to divert said waters from the ordinary irrigation ditches for the supply of steam boilers or other mechanism.

808. Annual assessments. It shall be the duty of the superintendent of waterworks to assess each water taker for water used, in accordance with the provisions of the ordinances of Salt Lake City. He may appoint, subject to confirmation by the council, such number of suitable persons as may be necessary to make such assessment; provided, that the city council shall designate the number of persons to be appointed, their compensation and tenure of office. Annual assessments for water shall be based upon the rates hereinafter established, and date from the first day of July of each year; provided, that wherever a sliding scale is fixed for any particular use of water, the superintendent shall determine the amount to be paid.

809. Assessment rolls. Upon such assessment being made, the superintendent shall turn over the water assessment rolls to the city auditor for verification of the total amounts of such rolls; the said auditor shall debit the city treasurer upon the books of his office, with the total of said assessment, and shall then deliver said rolls to the city treasurer, who shall proceed to collect the rates semi-annually or annually as the city council shall direct.

810. Notice to water takers. Delinquency. The city treasurer shall furnish to each water taker, or leave at his residence or usual place of business, a printed or written notice of the amount of water rates assessed against him and when payable. If any person neglects, fails or refuses to pay his water rates within thirty days from the date of said notice, the city treasurer shall notify the superintendent of waterworks, who shall have the water turned off from the premises of such delinquent, and before the water shall be turned on again, all delinquent water rates must be paid in full up to the end of the term as assessed and fifty cents additional for expenses. Any water taker not using water after the assessment has been made, must report it to the superintendent of waterworks and have the water shut off; if he fails to do so, the full amount assessed must be paid. No allowance will

be made for non-use for less than one month. All corrections in assessments, and all abatements shall be made under the direction of the city council and shall be certified to the city auditor and city treasurer.

811. Board of equalization. The city council committee on waterworks is hereby constituted a board of equalization for the equalization of water rates. Said board shall have authority to examine the assessment books, to hear complaints of persons aggrieved by their water assessments, and to make corrections of any such assessments deemed to be illegal, unequal or unjust. Said board shall meet on the fourth Monday of August of each year and continue in session from time to time until the business of equalization is disposed of, but not later than the fourth Saturday in September of the same year. All complaints relative to water assessments must be presented to said board within said dates, or be forever barred; *provided, however,* that said board shall have authority to meet from time to time after the last named date to adjust water assessments made subsequent to the 1st day of July, and to consider and determine claims for abatement on account of vacancy of premises, errors in assessment and non-use of water.

812. Water rates. Paid in advance. The annual rates for a supply of water from the Salt Lake City waterworks to be paid semi-annually or annually in advance, are hereby fixed and established ^{from the 1st day of January} as follows, to-wit:

Bakery	\$ 15.00 to \$ 30.00
Bank, including one wash basin	10.00
Each additional basin	1.00
Barber shop, first chair	5.00
Each additional chair	2.00
Bath, public, first tub	5.00
Each additional tub	3.00
Beer pump	10.00
Blacksmith shop, one forge	5.00
Each additional forge	2.00
Book-bindery and printing office	10.00 to 20.00

Brewery, for brewing and washing purposes	500.00 to	800.00
Brickyard	10.00 to	50.00
Butcher shop and meat market	5.00 to	20.00
Candy factory	10.00 to	25.00
Club room	10.00 to	25.00
Confectionery and ice cream saloon	5.00 to	20.00
Dancing hall	10.00	
Drug store	10.00 to	25.00
Dyeing, scouring and cleaning establishment		
.....	10.00 to	25.00
Fish market	10.00 to	20.00
Flour mill	10.00 to	20.00
Foundry and machine shops	10.00 to	25.00
Fountain with jet not exceeding 1-4 inch in diameter, per month	3.00	
In store, restaurant or other place per annum	10.00 to	20.00
Green houses, 1000 square feet or less ...	10.00	
Greenhouses over 1000 square feet and under 2000	20.00	
For each additional 100 square feet over 2000 square feet .....	.50	
Hose connection for sprinkling garden, lawn or yard, 50 square yards or less	1.50	
For each additional square yard .....	.03	
For washing each private vehicle	1.00	
For each animal	1.00	
Hotel, boarding or lodging house, for each room having water attachment and including water closet, urinal and bath for guests	1.50	
For each room having but one tap	1.00	
For each room not having water attachment .....	.50	
Hotel, boarding or lodging house not less than	10.00	

Private dwelling occupied by one family, for 5 rooms or less	4.00	
Each additional room .....	.50	
Each additional family	3.00	
Each bath tub	1.00	
Each water closet	2.00	
Ice manufacturing establishment	300.00	to 1000.00
Laboratory, soda water manufacturing, bottling works, vinegar factory and house	25.00	to 75.00
Laundry	48.00	to 150.00
Liquor store, saloon or beer shop	15.00	to 25.00
Livery, sale and feed stable, for each ani- mal	1.00	
For washing each vehicle	2.00	
Railroad locomotives, each	50.00	
Railroad coaches, washing each	10.00	
Street cars, washing each	7.50	
Lumber yard or planing mill	10.00	to 20.00
Lunch stand and restaurant	10.00	to 50.00
Office buildings, express, railroad, attor- neys, physicians, mining companies or other offices with or without water attachments, first floor, each office ..	5.00	
Upstairs offices with water attachment, each room	1.50	
Without water attachment, each room ..	1.00	
Photograph gallery	10.00	to 25.00
Sanitarium or public bath house	100.00	to 300.00
Turkish bath	50.00	to 75.00
Slaughter houses	50.00	to 100.00
Soda fountain, for the season	5.00	to 15.00
Society hall	10.00	
Steam boilers, stationary, for all pur- poses except heating, when used not to exceed twelve hours daily, per horse power	1.00	
When used constantly, per horse power..	2.00	

Stone yard and stone saw mills	20.00 to	50.00
Stock yards and corrals	25.00 to	75.00
Store or shop	5.00 to	30.00
Theater or public hall	10.00 to	50.00
Urinals in hotels, saloons, office build- ings, stores or shops, each	2.50	
Water closets in hotels, saloons or private schoolhouses, each	5.00	
In office buildings, stores or shops, each..	2.50	

Where water is measured in meters for :

Less than 7000 gallons daily, 10.00 cents per 1000 gallons.

7000 gallons daily and less than 8000 gallons, 9.95 cents per 1000 gallons.

8000 gallons daily and less than 9000 gallons, 9.90 cents per 1000 gallons.

9000 gallons daily and less than 10,000 gallons, 9.85 cents per 1000 gallons.

10,000 gallons daily and less than 11,000 gallons, 9.80 cents per 1000 gallons.

11,000 gallons daily and less than 12,000 gallons, 9.75 cents per 1000 gallons.

12,000 gallons daily and less than 13,000 gallons, 9.70 cents per 1000 gallons.

13,000 gallons daily and less than 14,000 gallons, 9.60 cents per 1000 gallons.

14,000 gallons daily and less than 15,000 gallons, 9.50 cents per 1000 gallons.

15,000 gallons daily and less than 16,000 gallons, 9.00 cents per 1000 gallons.

16,000 gallons daily and less than 17,000 gallons, 8.45 cents per 1000 gallons.

17,000 gallons daily and less than 18,000 gallons, 8.00 cents per 1000 gallons.

18,000 gallons daily and less than 19,000 gallons, 7.70 cents per 1000 gallons.

19,000 gallons daily and less than 20,000 gallons, 7.30 cents per 1000 gallons.

20,000 gallons daily and less than 21,000 gallons, 7.00 cents per 1000 gallons.

21,000 gallons daily and less than 22,000 gallons, 6.75 cents per 1000 gallons.

22,000 gallons daily and less than 23,000 gallons, 6.60 cents per 1000 gallons.

23,000 gallons daily and less than 24,000 gallons, 6.25 cents per 1000 gallons.

24,000 gallons daily and less than 25,000 gallons, 6.00 cents per 1000 gallons.

25,000 gallons daily and less than 26,000 gallons, 5.80 cents per 1000 gallons.

26,000 gallons daily and less than 27,000 gallons, 5.60 cents per 1000 gallons.

27,000 gallons daily and less than 28,000 gallons, 5.40 cents per 1000 gallons.

28,000 gallons daily and less than 29,000 gallons, 5.25 cents per 1000 gallons.

29,000 gallons daily and less than 30,000 gallons, 5.15 cents per 1000 gallons.

30,000 gallons daily and less than 31,000 gallons, 5.00 cents per 1000 gallons.

31,000 gallons daily and less than 32,000 gallons, 4.95 cents per 1000 gallons.

32,000 gallons daily and less than 33,000 gallons, 4.80 cents per 1000 gallons.

33,000 gallons daily and less than 34,000 gallons, 4.70 per 1000 gallons.

34,000 gallons daily and less than 35,000 gallons, 4.60 cents per 1000 gallons.

35,000 gallons daily and less than 36,000 gallons, 4.50 cents per 1000 gallons.

36,000 gallons daily and less than 37,000 gallons, 4.40 cents per 1000 gallons.

37,000 gallons daily and less than 38,000 gallons, 4.30 cents per 1000 gallons.

38,000 gallons daily and less than 39,000 gallons, 4.20 cents per 1000 gallons.

39,000 gallons daily and less than 40,000 gallons, 4.10 cents per 1000 gallons.

40,000 gallons daily and less than 41,000 gallons, 4.00 cents per 1000 gallons.

41,000 gallons daily and less than 42,000 gallons, 3.95 cents per 1000 gallons.

42,000 gallons daily and less than 43,000 gallons, 3.90 cents per 1000 gallons.

43,000 gallons daily and less than 44,000 gallons, 3.85 cents per 1000 gallons.

44,000 gallons daily and less than 45,000 gallons, 3.80 cents per 1000 gallons.

45,000 gallons daily and less than 46,000 gallons, 3.75 cents per 1000 gallons.

46,000 gallons daily and less than 47,000 gallons, 3.70 cents per 1000 gallons.

47,000 gallons daily and less than 48,000 gallons, 3.65 cents per 1000 gallons.

48,000 gallons daily and less than 49,000 gallons, 3.60 cents per 1000 gallons.

49,000 gallons daily and less than 50,000 gallons, 3.55 cents per 1000 gallons.

50,000 gallons daily and over, 3.50 cents per 1000 gallons.

The minimum charge for water used through a meter shall be thirty-five cents per month. Water meters may be put in at the water taker's expense whenever it is considered necessary by the superintendent of waterworks; and the same shall be put in by the superintendent of waterworks upon the written request of any water taker at such water taker's own expense. In all cases a deposit shall be required as provided by ordinance. Consumers shall keep all meters upon their premises from freezing, and the surroundings clear and clean; *Provided*, that when a meter gets out of order and fails to register, the water taker shall be charged for the time it is out of order at an average daily rate as registered by the meter when in order.

813. Water meters to be placed in breweries, artificial ice plants, hotels, etc. All breweries, bottling works, artificial ice plants or other manufacturing establishments, all railways, power houses, cold storage plants, steam and hand laundries, all hotels and office buildings having more than twenty-five rooms each, livery stables, and other establishments using large quantities of water from the water-works system, shall place water meters in their respective places of business and pay for water by measurement. Meters will be furnished and maintained by the city upon the water taker depositing the net cost thereof with the city treasurer, who shall issue a certificate of deposit for said amount, which amount shall be refunded to the holder upon the return of the meter and the surrender of the certificate. Where annual assessments of water rates have already been made upon any of the business establishments hereinbefore mentioned, the superintendent of waterworks is hereby authorized to withdraw said assessments from the date that water meters are placed in such establishments, and thereafter charge for water by meter rates. All water meters shall be under the control of the superintendent of waterworks, who shall cause the same to be read monthly or oftener if necessary, and furnish monthly bills to the city treasurer for collection, against all water takers supplied with water through meters. It shall be unlawful for any person by himself, family, servants or agents to open, interfere with, injure, deface, or in any wise impair the workings of any water meter.

814. Water not to be supplied to motors. No water shall be supplied from the pipes of Salt Lake City waterworks for the purpose of driving any motor, turbine or other wheels, or any hydraulic engines or elevators, or for driving or propelling machinery of any kind whatsoever, and no license shall be granted or issued for any such purpose, except upon the permit of the superintendent, consent of the city council having been previously obtained.

815. Sworn statement. The superintendent may demand of any person a sworn statement of the purpose for

which water is required, together with the number of rooms, hose connections, bath houses, urinals, water closets, engines, boilers, stock yards, corrals, livery stables, liquor stores and other purposes for which water is required, and also the number of horses or other animals to be supplied, and the number of vehicles to be washed. Any person refusing to make such sworn statement when required, shall be refused a supply of water.

816. No alteration in rates. Nothing herein contained shall prohibit the city council from amending, altering or adding to the provisions of this chapter in relation to the water supply or the rules or regulations which may be adopted in conformity therewith; provided, that no alteration in water rates shall apply to any permission given, or contract made for the use of water, until after the expiration of such permission or contract.

817. Construction of wells. It shall be unlawful for any person to construct or cause to be constructed, any well within the city limits, unless such well is piped with iron and sunk either below an impermeable stratum or formation, or to a depth of not less than seventy-five feet; provided, however, that nothing herein contained shall be deemed to apply to artesian wells.

818. Well within twenty feet of cesspool or privy prohibited. It shall be unlawful for any person to construct or cause to be constructed any well nearer than twenty feet to any cesspool or privy vault.

819. Use of water for drinking from wells regulated. It shall be unlawful for any person to use, or permit to be used for drinking purposes, any water from any well, except it be from a well constructed in accordance with the provisions of this chapter.

820. Analysis of city water. It shall be the duty of the board of health to make or cause to be made once in every

three months, an analysis of the water furnished by the city through its water system, and report the same to the city council.

821. Befouling water. It shall be unlawful for any person to construct or maintain any corral, sheep pen, pig pen, chicken coop, stable or other offensive yard or outhouse along any stream of water used by the inhabitants of Salt Lake City, anywhere within ten miles above the point where said stream is taken by said city, where the waste or drainage therefrom will naturally find its way into said stream of water; or to deposit, pile, unload or leave any manure, or other offensive rubbish, or the carcass of any dead animal along any stream of water used by the inhabitants of Salt Lake City, anywhere within ten miles above the point where said stream is taken, where the waste or drainage therefrom will naturally find its way into said stream of water; or to drive, or to permit, or cause any other persons to drive any loose cattle, horses, sheep or hogs through any canyon from the stream of which water is or shall be taken for the use of the inhabitants of said city, or to permit any cattle, horses, sheep or hogs, to remain in, or near, or to pollute any stream of water used by the inhabitants of said city anywhere within ten miles above a point where said water is first taken by said city.

822. Same. It shall be unlawful for any person or persons within ten miles above the highest point where water from any canyon is taken for use by the inhabitants of Salt Lake City, to camp within one hundred feet of the stream in said canyon, or to throw, or deposit any garbage or other deleterious matter of any kind, name or nature, at any point in such canyon within ten miles from the highest point of diversion at a place where such deposit will naturally, by wash of rains, or drainage, find its way into said stream.

823. Same. Land and water commissioner's duties. Whenever any loose cattle, horses, sheep or hogs are found in any canyon from the stream of which water is or shall be taken for the use of the inhabitants of Salt Lake City, and

within ten miles above the highest point where such water is taken, it is hereby made the duty of the land and water commissioner and his agents, servants and employees to cause to be driven or to drive such cattle, horses, sheep or hogs to and leave them at a place either below said point of intake, or more than ten miles above said point of intake.

824. Unlawful to interfere with city officers. It shall be unlawful for any person to interfere with, molest, hinder or obstruct the land and water commissioner, or any of his agents, servants or employees while in the performance of the duties imposed by the foregoing section.

825. Water scrip. In all cases where the city treasurer is authorized and directed by the city council, by ordinance or resolution, to issue water scrip upon the payment of special taxes for the improvement or extension of the waterworks system, or upon the payment of any sum or sums of money to the city treasurer for such improvement or extension, the city treasurer is authorized and directed to issue said water scrip to the person or persons making such payment in the forms provided in Sections 826 and 827.

826. Form of water scrip. Twenty per cent. Water scrip shall be issued for twenty per cent of the payment mentioned in Section 825, in the form of a certificate signed by the city treasurer, and shall show on its face the amount for which the scrip is issued, the date of issuance, the person to whom issued, and shall contain an adequate description of the property upon which the special tax or other payment is made. It shall also state upon its face that such scrip will be received for the payment of water rates for water used only upon the premises described therein, until after three years from the date of its issuance, when it will be received for the payment of water rates for water used upon any premises within Salt Lake City.

827. Same. Eighty per cent. Water scrip shall be issued for eighty per cent of the payment mentioned in Sec-

tion 825, in the form of a certificate signed by the city treasurer, and shall show on its face the amount for which the scrip is issued, the date of issuance and the person to whom issued. It shall also state upon its face that such scrip will be received for the payment of water rates for water used upon any premises within Salt Lake City.

828. Scrip received for water rates. Limitation. The water scrip described in Section 826 shall be received by the city treasurer in payment of water rates for water used only upon the premises described in such water scrip; provided, that after three years from the date of its issuance, it shall be received by the city treasurer in payment of water rates for water used upon any premises. The water scrip described in Section 827 shall be received by the city treasurer in payment of water rates for water used upon any premises. All water scrip shall be non-interest bearing, and shall not be received in payment of any fine, toll, tax, fee, assessment or debt due Salt Lake City, except as in this chapter provided.

829. Scrip issued since April 24, 1902. All water scrip issued since the 24th day of April, 1902, in the form prescribed by Section 826, shall, after three years from the date of its issuance, be received by the city treasurer in payment of water rates for water used upon any premises.

830. Penalty. Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than one hundred dollars, or by imprisonment in the city jail not more than one hundred days, or by both such fine and imprisonment.

SECTION II. That these revised ordinances in LVIII Chapters, sections numbered consecutively from 1 to 830 be published by authority of the City Council.

SECTION III. That these revised ordinances take effect ten days after approval.

(Introduced by W. E. Vigus.)

Passed by the City Council of Salt Lake City, Utah, December 11th, 1903, and referred to the Mayor for his approval.

J. O. NYSTROM,
City Recorder.

Approved this 18th day of December, 1903.

EZRA THOMPSON,
Mayor.

STATE OF UTAH,
City and County of Salt Lake, } ss.

We, the undersigned, George L. Nye, the compiler, and John S. Critchlow, City Recorder of Salt Lake City, do hereby certify that we have carefully examined and compared the above and foregoing printed sections of the revised ordinances of Salt Lake City with Ordinance No. 133, being the ordinance for the general revision of the City Ordinances as the same now appears on file in the office of the City Recorder and that said printed sections constitute a full, true and correct copy of said Ordinance No. 133 in force December 29th, 1903.



In Witness Whereof, the said George L. Nye has hereunto set his hand, and the said John S. Critchlow has hereunto set his hand and affixed the seal of Salt Lake City this 9th day of February, 1904
GEORGE L. NYE.

JOHN S. CRITCHLOW,
City Recorder.

PART II.

PART II.

APPENDIX

BONDS, FRANCHISES AND
SPECIAL GRANTS.

NOTE.

Ordinances and Resolutions in Part II have been arranged under general heads, such as BONDS, GAS AND ELECTRIC LIGHT, ETC., and under those heads will be found in the order of their passage.

BONDS ISSUED FOR CORPORATE PURPOSES.

A RESOLUTION

Providing for the Issue of Bonds for Corporate Purposes.

For \$500,000.

Whereas, The corporation of Salt Lake City is now indebted in the sum of about two hundred and fifty thousand dollars, and on the whole of the existing indebtedness the corporation is paying about seven per centum per annum;

Now, for the purpose of borrowing money at a less rate of interest to discharge and refund said indebtedness; for the further purpose of obtaining a greater supply of water for the use of the inhabitants of said city, and for other corporate purposes, it has been deemed prudent and best to issue a series of five hundred one-thousand-dollar bonds, pursuant to an act of the Legislative Assembly of the Territory of Utah, approved March 8, 1888; therefore

Section 1. Be it Resolved by the City Council of Salt Lake City, That for the purpose of discharging and refunding said indebtedness, obtaining money to increase the water supply of Salt Lake City, and for other corporate purposes, said corporation shall issue a series of five hundred engraved coupon bonds, of the denomination of one thousand dollars each, the principal payable at the office of the city treasurer in Salt Lake City, twenty years after the date thereof, redeemable, however, at the option of said corporation, any time after ten years from the date of their issue; said bonds to bear date of September 1, 1888, with interest from the date thereof at the rate of five per centum per annum, the interest payable on the first day of March, 1889, and semi-annually thereafter on the first days of September and March in each year, in the city of

New York, at the banking house of the American Exchange National Bank, or its successors, or at the Deseret National Bank, in Salt Lake City, or its successors, on presentation and surrender of the coupons as they become due; both interest and principal payable in lawful money of the United States; and said bonds shall be exempt from taxation by said city.

Sec. 2. Said bonds shall be signed by the mayor and treasurer of said city, and before the issuance of any of them the corporate seal of said city shall be thereunto affixed, duly attested by the recorder of said city.

Sec. 3. Said bonds shall be numbered from one to five hundred, both inclusive; and they shall be registered in numerical order in a book kept for that purpose by the auditor of said city; and said bonds shall be sold only upon the order of the city council, and in such lots and on such terms as it shall designate; and to each of said bonds there shall be attached forty coupons, numbered respectively from one to forty, both inclusive, with the proper dates of payment named therein.

Sec. 4. The seal of the corporation shall not be impressed upon said bonds until the time of sale thereof, and then such impression shall be made in the presence of the mayor, treasurer and committee on finance of said city; Provided, the order of selling and attesting said bonds, including the sealing thereof, may be changed or modified by order of the city council.

Sec. 5. Whenever the city council of Salt Lake City shall have arranged to issue said bonds, or any part of them, said council shall direct the treasurer of said city to advertise for the sale of bonds to be issued as aforesaid, by causing a notice of said sale to be published for a period of one month in three daily newspapers published in Salt Lake City. Such notice shall specify the amount of bonds to be sold, the rate of interest they shall bear, the place, day and hour of sale, and that bids will be received by said treasurer for the purchase of said bonds within fifteen days from the expiration of said publication in said papers; and at the place and time named in said notice the said treasurer of said city, together with the committee on finance of the said city council, shall open all bids re-

ceived by said treasurer, and they shall award the purchase of said bonds, or the portion offered for sale, to the highest bidder or bidders therefor; Provided, that said treasurer and said committee on finance shall have the right, in behalf of said city, to reject any and all bids; and provided further, that they may, in their discretion, refuse to make any award of said bonds unless sufficient security shall be furnished by the bidder or bidders for the compliance with the terms of his or their bids.

Sec. 6. For the purpose of providing for the payment of the interest on said bonds, as the same shall become due, the sum of twenty-five thousand dollars, or so much thereof as may be necessary, is hereby appropriated annually.

Sec. 7. At the expiration of ten years after the issuance of said bonds there shall be set apart, and the same is hereby appropriated annually, the sum of fifty thousand dollars as a sinking fund to pay the principal of said bonds as the same shall fall due, or be called, as provided in section 8 of this resolution; Provided, that nothing herein shall be construed to prohibit the city council at any time from making any other provisions for the redemption of any or all of said bonds after the expiration of said ten years.

Sec. 8. Whenever, after the expiration of ten years from the issuance of said bonds, there is available, as provided in the preceding section, or otherwise, the sum of fifty thousand dollars, or more, it shall be the duty of the city treasurer to publish a notice stating the number of bonds to be redeemed, commencing at the highest number then outstanding, and the date when they will be paid, and if such bonds so numbered in said notice shall not be presented for payment and cancellation at the date mentioned in the publication, then such fund shall remain in the treasury to discharge such bonds whenever presented; but said called bonds shall draw no interest after the date specified in said notice.

Adopted July 10, 1888.

AN ORDINANCE

Providing for the issuing and disposing of certain bonds by Salt Lake City, in lieu of an equivalent amount of other outstanding bonds of said city, and in order to enable said city to refund said outstanding bonded indebtedness.

Be it, and it is hereby ordained by the City Council of Salt Lake City, Utah.

Section 1. That for the purpose of paying and refunding the issue of five hundred thousand (\$500,000.00) dollars of the bonds of Salt Lake City, Utah, issued under the authority of a resolution of said city passed July 10, 1888, entitled, "A resolution providing for the issue of bonds for corporate purposes," and for the purpose of refunding the indebtedness evidenced by said bonds and issuing in lieu thereof other bonds of an equivalent amount, five hundred thousand (\$500,000.00) dollars be borrowed on the credit of the said city, and the committee on finance of the city council of said city is hereby authorized and directed to contract for the lithographing or engraving of two hundred bonds of the denomination of five hundred (\$500) dollars each, and four hundred bonds of the denomination of one thousand (\$1000.00) dollars each and purporting to be obligations of said Salt Lake City.

Section 2. Said bonds shall be known as "Salt Lake City refunding bonds," and shall be issued and sold for the express purpose of refunding said five hundred thousand (\$500,000.00) dollars of the indebtedness of said Salt Lake City evidenced by five hundred bonds of said city of the denomination of one thousand (\$1000.00) dollars each, issued and sold pursuant to said resolution of said city; which said last-named bonds are payable at the office of the city treasurer in Salt Lake City twenty years after the date thereof, redeemable, however, at the option of said corporation, any time after ten years from the date of their issue; said bonds to bear date of September 1, 1888, with interest from the date thereof at the rate of 5 per

centum per annum, the interest payable on the first day of March, 1889, and semi-annually thereafter on the first days of September and March in each year, in the city of New York, at the banking house of the American Exchange National bank, or its successors, or at the Deseret National bank in Salt Lake City, or its successors.

All moneys arising from the sale of the bonds issued pursuant to this ordinance shall be applied solely to the purpose of paying and refunding said five hundred thousand (\$500,000.00) dollars of the bonds issued pursuant to the aforesaid resolution of July 10, 1888.

Sec. 3. The said bonds to be issued herein shall be dated the first day of September, 1898, and shall be payable absolutely twenty years from their date, shall be numbered from 1 to 600, both inclusive, and the principal made payable at the office of the city treasurer in Salt Lake City, and interest shall be made payable at Wells, Fargo & Co. bank, New York city, or Wells, Fargo & Co. bank, Salt Lake City, or their successors, in lawful money of the United States, and shall bear interest only from the day of their date at the rate of 4 per cent per annum, payable semi-annually on the first day of March and the first day of September of each year.

Sec. 4. Said bonds shall bear coupons for the interest, to be so arranged that they may be detached without the mutilation of the bond. They shall be signed by the mayor and city recorder, and attested by the corporate seal of said city, and the mayor and city recorder are hereby authorized to sign and attest the said bonds, and when so signed and attested, said bonds shall become and shall be the obligations of said city, for the payment of which the faith and credit of said city are hereby pledged.

Sec. 5. The coupons borne by said bonds shall bear the lithographic signature of the mayor and city recorder.

Sec. 6. The city recorder is hereby authorized and directed to advertise for a period of not to exceed twenty (20) days in the public press of said city to sell said bonds, and requesting bids for all or any portion of the same, reserving the right upon the part of the said city to reject any or all bids which

may be offered. The bids so received shall be delivered unopened by the city recorder to the said city council, and shall be opened in the presence of said council at the first regular meeting to be held after the date of the expiration of said advertisement; but in no case shall said bonds be sold for less than their par value and the accrued interest at the time of their disposal.

Sec. 7. There shall be set aside out of the revenues of said city semi-annually a sum sufficient to pay the interest on said bonds.

Sec. 8. The bonds issued under the provisions of this ordinance shall be exempt from taxation by said Salt Lake City.

Effective July 27, 1898.

A RESOLUTION

Providing for the issue of bonds for corporate purposes.

For \$500,000.

Whereas, The corporation of Salt Lake City is desirous of borrowing the sum of five hundred thousand dollars for the making of permanent improvements and for other corporate purposes, and it has been deemed prudent and best to issue a series of five hundred one-thousand-dollar bonds, pursuant to an act of the Legislature of the Territory of Utah, approved March 8, 1888; therefore:

Section 1. Be it Resolved by the city council of Salt Lake City, That for the purpose of obtaining money for permanent improvements and other corporate purposes, said corporation shall issue a series of five hundred coupon engraved bonds of the denomination of one thousand dollars each, the principal payable at the office of the city treasurer in Salt Lake City twenty years after the date thereof, redeemable, however, at the option of said corporation, any time after ten years from the date of their issue, said bonds to bear date of January first, 1891, with interest from the date thereof at the rate of five per cent. per annum, the interest payable on the first day of July,

1891, and semi-annually thereafter, on the first days of January and July in each year, in the city of New York, at the banking house of the Importers and Traders' National Bank or at the Union National Bank in Salt Lake City, or its successors, on presentation and surrender of the coupons as they become due, both interest and principal payable in lawful money of the United States, and said bonds shall be exempt from taxation by said city.

Sec. 2. Said bonds shall be signed by the mayor and treasurer of said city, and before the issuance of any of them the corporate seal of said city shall be thereunto affixed, duly attested by the recorder of said city.

Sec. 3. Said bonds shall be numbered from one to five hundred, both inclusive, and they shall be registered in numerical order in a book kept for that purpose by the auditor of said city, and said bonds shall be sold only upon the order of the city council, and in such lots and on such terms as it shall designate; and to each of said bonds there shall be attached forty coupons, numbered respectively from one to forty, both inclusive, with the proper dates of payment named therein.

Sec. 4. The seal of the corporation shall not be impressed upon said bonds until the time of sale thereof, and then such impression shall be made in the presence of the mayor and treasurer and committee of finance of said city; Provided, the order of selling and attesting said bonds, including the sealing thereof, may be changed or modified by order of the city council.

Sec. 5. Whenever the city council of Salt Lake City shall have arranged to issue said bonds, or any part of them, said council shall direct the treasurer of said city to advertise for the sale of said bonds, to be issued as aforesaid, by causing a notice of said sale to be published for a period of one month in three daily newspapers published in Salt Lake City. Such notice shall specify the amount of bonds to be sold, the rate of interest they shall bear, the place, day and hour of sale, and that bids will be received by said treasurer for the purchase of said bonds within fifteen days from the expiration of said publication in said papers; and at a place and time named in said no-

tice the said treasurer, together with the committee on finance of said city council, shall open all bids received by said treasurer, and they shall award the purchase of said bonds, or the portion offered for sale, to the highest bidder or bidders therefor ;

Provided, that said treasurer and said committee on finance shall have the right in behalf of said city to reject any and all bids; and provided further, that they may, in their discretion, refuse to make any award of said bonds unless sufficient security shall be furnished by the bidder or bidders for the compliance with the terms of his or their bids.

Sec. 6. For the purpose of providing for the payment of the interest on said bonds as the same shall become due, the sum of twenty-five thousand dollars, or so much thereof as may be necessary, is hereby appropriated annually.

Sec. 7. At the expiration of ten years after the issuance of said bonds there shall be set apart, and the same is hereby appropriated annually, the sum of fifty thousand dollars as a sinking fund, to pay the principal of said bonds as the same shall fall due or be called, as provided by section 8 of this resolution; Provided, that nothing herein shall be construed to prohibit the city council from making any other provision for redemption of any or all said bonds after the expiration of said ten years.

Sec. 8. Whenever, after the expiration of ten years from the issuance of said bonds, there is available, as provided in the preceding section or otherwise, the sum of fifty thousand dollars or more, it shall be the duty of the city treasurer to publish a notice stating the number of bonds to be redeemed, commencing with the highest number then outstanding, and the date when they will be paid; and if such bonds, so numbered in said notice, shall not be presented for payment and cancellation at the date mentioned in the publication, then such funds shall remain in the treasury to discharge such bonds whenever presented; but such call bonds shall draw no interest after the date specified in such notice.

Passed October 7, 1890.

AN ORDINANCE

Providing for the refunding of five hundred thousand dollars in bonds, issued pursuant to resolution passed October 7, 1890, found in the Revised Ordinances of Salt Lake City of 1892.

Whereas, Pursuant to a resolution passed by the city council of Salt Lake City, October 7, 1890, Salt Lake City issued and sold, and has now outstanding, five hundred bonds of the denomination of one thousand dollars each, dated January 1, 1891, payable twenty years after date, with the option of paying same upon the expiration of ten years after date; and

Whereas, It is possible now to refund said bonds at a lower rate of interest and thereby effect a large saving to Salt Lake City corporation, and the firm of Farson, Leach and company of New York city and Chicago has made a proposition to purchase the bonds to be issued pursuant to this ordinance hereinafter more particularly described, which proposition has been accepted by the city council; now, therefore, be it

Ordained by the city council of Salt Lake City:

Section 1. That for the purpose of refunding said issue of bonds of January 1, 1891, Salt Lake City corporation issue a series of five hundred coupon bonds of the denomination of one thousand dollars each, the principal payable at the office of the city treasurer of Salt Lake City twenty years after date thereof, said bonds to bear date of January 1, 1901, with interest thereon from said date at the rate of four per cent per annum, said interest payable semi-annually thereafter on the first days of July and January of each year, in the city of New York, at the banking-house of Wells, Fargo & Co., or at the office of the city treasurer in Salt Lake City, on presentation and surrender of the said coupons as they become due, both principal and interest being payable in lawful money of the United States. Said bonds shall be exempt from taxation by said city.

Sec. 2. Said bonds shall be signed by the mayor and city recorder, and before issuance of the same, the corporate seal

of Salt Lake City shall be attached to each. Said bonds shall be known as "Salt Lake City refunding bonds," and shall be numbered from 501 to 1000, both inclusive, and shall be registered in numerical order in a book kept for that purpose by the auditor of said city, and shall have forty interest coupons attached thereto, to be numbered from 1 to 40, both inclusive, with the proper dates of payment named thereon, and which shall bear the lithographic signatures of the mayor and city recorder. Said bonds shall be substantially in the following form.

**United States of America,
State of Utah.**

Salt Lake City Refunding Bond.

No. ———.

\$1,000.00.

Know all men by these presents, that the city of Salt Lake, in the county of Salt Lake and State of Utah, acknowledges itself to be indebted and for value received hereby promises to pay to the bearer hereof the sum of one thousand dollars in lawful money of the United States on the first day of January, 1921, at the office of its city treasurer, with interest thereon at the rate of four (4) per cent per annum, from date until paid, payable semi-annually, in like money on the first days of January and July in each year at the same place, or, at the option of the holder, at the banking-house of Wells, Fargo & Co., in the city of New York, on presentation and surrender of the annexed coupons as they severally become due.

This bond is one of a series of five hundred (500) bonds of like tenor, date and amount, numbered from five hundred and one to one thousand, inclusive, and known as "Salt Lake City refunding bonds," for the aggregate sum of five hundred thousand dollars (\$500,000.00), issued for the purpose of refunding a like amount of the outstanding bonds of said city heretofore issued pursuant to law, under and pursuant to section 206 of the Revised Statutes of Utah, and pursuant to an ordinance of the city council adopted and approved by the mayor and published, providing for the issuance and disposal of such bonds.

And it is hereby recited that all acts, conditions and things required to exist and to be performed precedent to and in the issuing of said bonds, have duly existed and been performed in due manner and form, as required by the Constitution and laws of said State; and that the total indebtedness of said city, both bonded and floating, including this issue of bonds, is not in excess of any special or general statutory or constitutional limit of indebtedness.

In witness whereof the said city of Salt Lake City has, by the ordinance above recited, caused this bond to be signed and delivered and the corporate seal of said city to be thereto attached by the mayor and city recorder, on this first day of January, 1901:

Mayor.

City Recorder.

COUPON.

\$20.00.

No. —

On the first day of _____ 19—, the city of Salt Lake City, Utah, will pay to bearer at the city treasurer's office or at the option of the holder, at the banking-house of Wells, Fargo & Co., in the city of New York, twenty dollars in lawful money of the United States, being six months' interest on its refunding bond numbered _____

Dated January 1, 1901.

Mayor.

City Recorder.

(Certificate to be endorsed on back of bond.)

It is hereby certified, pursuant to section 146 of the Revised Statutes of Utah, that the within bond is within the lawful debt limit of the city of Salt Lake City, Utah, and is issued according to law.

Dated January 1, 1901.

City Auditor.

Sec. 3. Upon the execution of said bonds they shall be delivered to said firm of Farson, Leach and Company, upon the payment of the purchase price thereof, as heretofore agreed, provided, however, that none of the said bonds shall be issued unless and until a like amount of the outstanding bonds issued pursuant to said resolution of October 7, 1890, has been surrendered and cancelled.

Sec. 4. There shall be set aside out of the revenue of said city semi-annually a sum sufficient to pay the interest upon said bonds, and for the payment of the principal and interest of the said issue of bonds, the faith and credit of Salt Lake City is hereby pledged.

Sec. 5. That this ordinance shall take effect immediately upon its approval and publication in a newspaper published in the city of Salt Lake, and any resolutions inconsistent herewith are hereby repealed.

Effective February 1, 1901.

A RESOLUTION

Providing for the issue of bonds for corporate purposes.

For \$200,000.

Whereas, The corporation of Salt Lake City is desirous of borrowing the sum of two hundred thousand dollars for the making of permanent improvements and for other corporate purposes, and it has been deemed prudent and best to issue a series of two hundred one-thousand-dollar bonds, pursuant to the provisions of an act of the Governor and Legislative Assembly of the Territory of Utah, approved March 8, 1888; therefore,

Section 1. Be, and it is, resolved by the City Council of Salt Lake City: That for the purpose of obtaining money for permanent improvements and for other corporate purposes, said corporation shall issue a series of two hundred engraved coupon bonds of the denomination of one thousand dollars each, the principal payable at the office of the city treasurer of

the city of Salt Lake twenty years after the date thereof, redeemable, however, at the option of said corporation at any time after ten years from the date of their issue. Said bonds to bear date of July 1, 1891, with interest from the date thereof at the rate of five per cent. per annum, and payable semi-annually thereafter, on the first days of January and July in each year, in the city of New York, at the banking house of the Importers and Traders National Bank, or its successors, or at the Union National Bank, in Salt Lake City, or its successors, on presentation and surrender of the coupons as they become due, both interest and principal payable in lawful money of the United States, and said bonds shall be exempt from taxation by said city.

Sec. 2. Said bonds shall be signed by the mayor and treasurer of said city, and before the issuance of any of them the corporate seal of said city shall be thereunto affixed, duly attested by the recorder of said city.

Sec. 3. Said bonds shall be numbered from one to two hundred, both inclusive, and they shall be registered in numerical order in a book kept for such purpose by the auditor of said city, and said bonds shall be sold only upon the order of the city council, and in such lots and on such terms as it shall designate; and to each of said bonds there shall be attached forty coupons, numbered respectively from one to forty, both inclusive, with the proper dates of payment named therein.

Sec. 4. The seal of the corporation shall not be impressed upon said bonds until the time of sale thereof, and then said impression shall be made in the presence of the mayor and treasurer and committee of finance of said city; Provided, the order of selling and attesting said bonds, including the sealing thereof, may be changed or modified by order of the city council.

Sec. 5. Whenever the city council of Salt Lake City shall have arranged to issue said bonds or any part of them, said council shall direct the treasurer of said city to advertise for the sale of bonds to be issued as aforesaid, by causing notice of said sale to be published for a period of one month in three daily newspapers published in Salt Lake City. Such notice

shall specify the amount of bonds to be sold, the rate of interest they shall bear, the place, day and hour of sale, and that bids will be received by said treasurer for the purchase of said bonds within fifteen days from the expiration of said publication in said papers, and at a place and time named in said notice.

The treasurer of said city, together with the committee on finance of said city council, shall open all bids received by said treasurer, and they shall award the purchase of said bonds, or the portion thereof offered for sale, to the highest bidder or bidders therefor; Provided, that said treasurer and said committee on finance shall have the right, on behalf of said city, to reject any and all bids; and provided further, that they may, in their discretion, refuse to make any award of said bonds unless sufficient security shall be furnished by the bidder or bidders for the compliance with the terms of his or their bids.

Sec. 6. For the purpose of providing for the payment of the interest on said bonds as the same shall become due, the sum of ten thousand dollars, or so much thereof as may be necessary, is hereby appropriated accordingly.

Sec. 7. At the expiration of ten years after the issuance of said bonds there shall be set apart, and the same is hereby appropriated, the sum of twenty thousand dollars, as a sinking fund, to pay the principal of said bonds, as the same shall fall due or be called as provided by section eight of this resolution; Provided, that nothing herein shall be construed to prohibit the city council from making any other provisions for redemption of any or all of said bonds after the expiration of ten years.

Sec. 8. Whenever after the expiration of ten years from the issuance of said bonds there is available, as provided in the preceding section or otherwise, the sum of twenty thousand dollars or more, it shall be the duty of the city treasurer to publish a notice stating the number of bonds to be redeemed, commencing with the highest number then outstanding, and the date when they will be paid; and if such bonds so numbered in said notice shall not be presented for payment or cancellation at the date mentioned in the publication, then such fund shall remain in the treasury to discharge such bonds

whenever presented ; but such call bonds shall draw no interest after the date specified in such notice.

Sec. 9. This resolution to take effect from and after its passage.

Passed and approved June 9, 1891.

AN ORDINANCE

Providing for the refunding of two hundred thousand dollars in bonds, issued pursuant to resolution passed June 9, 1891, found in the Revised Ordinances of Salt Lake City of 1892, page 151.

Whereas, Pursuant to a resolution of the city council of Salt Lake City, passed June 9, 1891, Salt Lake City issued and sold and has now outstanding two hundred bonds of the denomination of one thousand dollars each, dated July 1, 1891, payable twenty years after date, with the option of paying same upon the expiration of ten years after date ; and,

Whereas, It is possible now to refund said bonds at a lower rate of interest and thereby effect a large saving to Salt Lake City corporation, and the firm of Farson, Leach & Company of New York and Chicago has made a proposition to purchase the bonds to be issued pursuant to this ordinance hereinafter more particularly described, which proposition has been accepted by the city council ; now, therefore, be it

Ordained by the city council of Salt Lake City :

Section 1. That for the purpose of refunding said issue of bonds of July 1, 1891, Salt Lake City corporation issue a series of two hundred coupon bonds of the denomination of one thousand dollars each, the principal payable at the office of the city treasurer of Salt Lake City, twenty years after date thereof, said bonds to bear date of July 1, 1901, with interest thereon from said date at the rate of 4 per cent per annum, said interest payable semi-annually thereafter on the first days of January and July of each year, in the city of New York, at the banking-house of Wells, Fargo & Co. or at the office of the city treas-

urer in Salt Lake City, on presentation and surrender of the said coupons as they become due; both principal and interest being payable in lawful money of the United States. Said bonds shall be exempt from taxation by said city.

Sec. 2. Said bonds shall be signed by the mayor and city recorder, and before issuance of the same, the corporate seal of Salt Lake City shall be attached to each. Said bonds shall be known as Salt Lake City refunding bonds, and shall be numbered from 1001 to 1200, both inclusive, and shall be registered in numerical order in a book kept for that purpose by the auditor of said city, and shall have forty interest coupons attached thereto, to be numbered from 1 to 40, both inclusive, with the proper dates of payment named therein, and which shall bear the lithographic signatures of the mayor and city recorder. Said bonds shall be substantially in the following form:

**United States of America,
State of Utah.**

Salt Lake City Refunding Bond.

No. —

\$1,000.00

Know all men by these presents, that the city of Salt Lake, in the county of Salt Lake and State of Utah, acknowledges itself to be indebted and for value received, hereby promises to pay the bearer hereof the sum of one thousand dollars in lawful money of the United States on the first day of July, 1921, at the office of its city treasurer, with interest thereon at the rate of 4 per cent per annum from date until paid, payable semi-annually, in like money on the first days of January and July in each year at the same place, or at the option of the holder, at the banking-house of Wells, Fargo & Co., in the city of New York, on presentation and surrender of the annexed coupons as they severally become due.

This bond is one of a series of two hundred (200) bonds of like tenor, date and amount, numbered from one thousand and one to twelve hundred, both inclusive, and known as "Salt Lake City refunding bonds" for the aggregate sum of two hundred thousand (\$200,000) dollars, issued for the purpose of re-

funding a like amount of outstanding bonds of said city heretofore issued pursuant to law, under and pursuant to section 206 of the Revised Statutes of Utah, and pursuant to an ordinance of the city council adopted and approved by the mayor and published, providing for the issuance and disposal of such bonds.

And it is hereby recited that all acts, conditions and things required to exist and to be performed precedent to and in the issuing of said bonds, have duly existed and been performed in due manner and form as required by the Constitution and laws of the said state; and that the total indebtedness of the said city, both bonded and floating, including this issue of bonds, is not in excess of any special or general statutory or constitutional limit of indebtedness.

In witness whereof, the said city of Salt Lake has, by the ordinance above recited, caused these bonds to be signed and delivered, and the corporate seal of the said city to be thereto attached by the mayor and city recorder on this first day of July, 1901.

 Mayor.

 City Recorder.

COUPON.

\$20.00. No. —

On the first day of _____, 19—, the city of Salt Lake, Utah, will pay to bearer at the city treasurer's office, or, at the option of the holder, at the banking-house of Wells, Fargo & Co., in the city of New York, twenty dollars in lawful money of the United States, being six months interest on its refunded bond numbered _____ Dated July 1, 1901.

 Mayor.

 City Recorder.

(Certificate to be endorsed on back of bond.)

It is hereby certified, pursuant to section 146 of the Revised Statutes of Utah, that the within bond is within the law-

ful debt limit of the city of Salt Lake City, Utah, and is issued according to law.

Dated July 1, 1901.

City Auditor.

Sec. 3. Upon the execution of the said bonds, they shall be delivered to the said firm of Farson, Leach & Co., upon the payment of the purchase price thereof, as heretofore agreed, provided, however, that none of the said bonds shall be issued unless and until a like amount of the outstanding bonds issued pursuant to said resolution of June 9, 1891, has been surrendered and canceled.

Sec. 4. There shall be set aside out of the revenue of the said city semi-annually a sum sufficient to pay the interest upon said bonds, and for the payment of the principal and interest of the said issue of bonds, the faith and credit of Salt Lake City is hereby pledged.

Sec. 5. This ordinance shall take effect immediately upon its approval and publication in a newspaper published in the city of Salt Lake, and any resolutions inconsistent herewith are hereby repealed.

Effective June 19, 1901.

AN ORDINANCE

Providing for the issue of bonds for corporate purposes.

For \$600,000.

Whereas, The corporation of Salt Lake City is desirous of borrowing the sum of six hundred thousand dollars for the making of permanent improvements, and for other corporate purposes, and it has been deemed prudent and best to issue a series of six hundred one-thousand-dollar bonds, pursuant to the provisions of an act of the Governor and the Legislative Assembly of the Territory of Utah, approved March 8, 1888; wherefore,

Section 1. Be, and it is, ordained by the City Council of

Salt Lake City: That for the purpose of obtaining money for permanent improvements and for other corporate purposes, said corporation shall issue a series of six hundred engraved coupon bonds of the denomination of one thousand dollars each, the principal payable at the office of the city treasurer of the city of Salt Lake twenty years after the date thereof, redeemable, however, at the option of said corporation, at any time after ten years of the date of their issue; said bonds to bear date of July 1, 1892, with interest from the date thereof at the rate of five percent. per annum, and payable semi-annually thereafter on the first days of January and July of each year, in the city of New York, in the banking-house of Wells, Fargo & Co., or its successors, or at the bank of Wells, Fargo & Co. at Salt Lake City, or its successors, on presentation and surrender of the coupons as they become due, both interest and principal payable in lawful money of the United States, and said bonds shall be exempt from taxation by said city.

Sec. 2. Said bonds shall be signed by the mayor and treasurer of said city, and before the issuance of any of them the corporate seal of said city shall be thereunto affixed, duly attested by the recorder of said city. The coupons attached to each of these bonds, representing the interest to accrue thereon, shall each be signed by the treasurer of said city, either by his own hand or by lithographic copy of the signature of said treasurer, and such coupons, when so signed, issued and delivered by the proper authorities of said city with such bond or bonds, to a purchaser or purchasers thereof, shall become and be the lawful obligation of said city in the hands of any person to whom they may lawfully come for the payment of said interest as shown thereby.

Sec. 3. Said bonds shall be numbered from one to six hundred, both inclusive, and they shall be registered in numerical order in a book kept for such purpose by the auditor of said city, and said bonds shall be sold only upon the order of the city council, and in such lots and upon such terms as it shall designate, and to each of said bonds there shall be attached forty coupons, numbered respectively from one to forty, both inclusive, with the proper date of payment named therein.

Sec. 4. The seal of the corporation shall not be impressed upon said bonds until the terms of sale thereof, and then said impression shall be made in the presence of the mayor and treasurer and committee of finance of said city; Provided, the order of selling and attesting said bonds, including the sealing thereof, may be changed or modified by the order of the city council.

Sec. 5. Whenever the city council of Salt Lake City shall have arranged to issue said bonds, or any part of them, said council shall direct the mayor and treasurer of said city to advertise for the sale of bonds to be issued as aforesaid, by causing notice of said sale to be published for a period of one month in three daily newspapers published in Salt Lake City. Such notice shall specify the amount of bonds to be sold, the rate of interest they shall bear, the place, day and hour of the sale, and that bids will be received by said treasurer for the purchase of said bonds, and at a place and time named in said notice. The treasurer of said city, together with the mayor and committee on finance of said city council, shall open all bids received by said treasurer, and they shall award the purchase of said bonds, or the portion thereof offered for sale, to the highest bidder or bidders therefor; Provided, that said treasurer, mayor and said committee on finance shall have the right on behalf of said city to reject any and all bids; and provided further, that they may, in their discretion, refuse to make any award of said bonds unless sufficient security shall be furnished by the bidder or bidders for the compliance with the terms of his or their bids.

Sec. 6. For the purpose of providing for the payment of the interest on said bonds as the same shall become due, the sum of thirty thousand dollars, or so much thereof as may be necessary, is hereby appropriated accordingly.

Sec. 7. At the expiration of ten years after the issuance of said bonds and each year thereafter there shall be set apart, and the same is hereby appropriated, the sum of sixty thousand dollars, as a sinking fund to pay the principal of said bonds, as the same shall fall due or be called, as provided by section 8 of this ordinance; Provided, that nothing herein shall be con-

strued to prohibit the city council from making any other provisions for redemption of any or all of said bonds after the expiration of ten years.

Sec. 8. Whenever, after the expiration of ten years from the issuance of said bonds, there is available, as provided in the preceding section or otherwise, the sum of sixty thousand dollars or more, it shall be the duty of the city treasurer to publish a notice, stating the number of bonds to be redeemed, commencing with the highest number then outstanding, and the date when they will be paid. And if such bonds, so numbered in said notice, shall not be presented for payment or cancellation at the date mentioned in the publication, then such fund shall remain in the treasury to discharge such bonds whenever presented; but such call bonds shall draw no interest after the date specified in such notice.

Sec. 9. This ordinance to take effect from and after its passage.

Passed and approved May 13, 1892.

AN ORDINANCE

Confirming the Sale of Bonds.

Section 1. Whereas, by a resolution of this body duly and regularly passed on the 25th day of July, 1893, the mayor and treasurer were authorized and empowered, in connection with the finance committee, to sell at private sale all or any part of the 300 bonds of the issue of July 1, 1892, then remaining in the possession of the city, and numbered from 301 to 600 inclusive; and

Whereas, in pursuance of the authority conferred by said resolution the mayor, treasurer and finance committee have sold one hundred and twenty-five of said bonds numbered from 301 to and including 425 to Blair & Co., bankers of the city of New York, and have given option on 125 additional of said bonds; and

Whereas, it was part of the consideration of the said pur-

chasers that an ordinance containing the recitals and provisions of the present ordinance should be passed for the assurance of the said purchasers and all subsequent holders of the said bonds, and that all of the purchase price of said bonds, prior to the delivery of said bonds to said purchasers shall be actually applied in the retirement and actual cancellation of a like amount of the valid and outstanding warrants of the city; and

Whereas, the aggregate indebtedness of the city of all kinds and for all purposes, including the said issue of bonds sold to said Blair & Co. as aforesaid, did not and does not amount to 4 per centum of the value of the taxable property within the said city, as determined and ascertained by the last assessment for territorial and county taxes, at the date of the delivery of the said bonds to Blair & Co., and

Whereas, all of the provisions of law and ordinances of the said city in respect to the issue and sale of the said bonds have been complied with;

Therefore be it ordained, by the city council of the city of Salt Lake, that the issuance and sale to Blair & Co. of the bonds aforesaid, and the action of the mayor and finance committee in the premises, be and the same are hereby approved, ratified and confirmed, and the said bonds are declared to be binding and legal obligations upon the city of Salt Lake; and the recorder is directed to furnish a certified copy of this ordinance, under the seal of the city, to the said purchasers of the said bonds or any subsequent holder thereof, as the assurance of the said city that the same are in all respects its binding and legal obligations.

That all ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

Effective October 6, 1893.

AN ORDINANCE

Supplemental to an ordinance passed October 6th, 1893, confirming the sale of bonds.

Whereas, By a resolution of this body duly and regularly passed on the 25th day of July, 1893, the mayor and treasurer were authorized and empowered in connection with the finance committee to sell at private sale all or any part of the 300 bonds of the issue of July 1, 1892, then remaining in the possession of the city and numbered from 301 to 600 inclusive; and

Whereas, In pursuance of the authority conferred by said resolution, the mayor, treasurer and finance committee have in sundry installments and at various times since the 6th day of October, 1893, sold and delivered 213 of said bonds numbered from 301 to 513 both inclusive to Blair & Company, bankers of the city of New York; and

Whereas, It was part of the consideration of the said purchase that an ordinance containing the recitals and provisions of the present ordinance should be passed for the assurance of said purchasers and all subsequent holders of said bonds; and

Whereas, By the terms of the ordinance of October 6th, 1893, this city agreed to apply the purchase price of said bonds prior to the delivery of said bonds to said purchasers to the retirement and cancellation of a like amount of valid and outstanding warrants of said city, which has since been done by the city, which has applied the proceeds of said bonds numbered from 301 to 513 inclusive, received from Blair & Company to the cancellation and retirement of valid and outstanding city warrants to an amount at least equal to the bonds so delivered, and which was done before the delivery of the said bonds to Blair & Company; and

Whereas, The aggregate indebtedness of the city at all times and for all purposes, including the bonds sold and delivered to Blair & Company as aforesaid, did not at the time of the delivery of said bonds or of any installment thereof,

amount, and has not at any time since amounted, and does not now amount to four per centum of the value of the taxable property within the said city as determined by the last assessment for territorial and county taxes; and

Whereas, All the provisions of law and of the ordinances of said city in respect to the issue and sale of the said bonds, have been complied with and said Blair & Company have fully paid the city for said bonds numbered from 301 to 513 inclusive;

Therefore, Be it ordained by the city council of the city of Salt Lake, that the issuance and sale to Blair & Company of the bonds aforesaid, be and the same are hereby approved, ratified and confirmed, and the said bonds numbered from 301 to 513 inclusive are declared to be binding and legal obligations upon the City of Salt Lake; and the recorder is directed to furnish a certified copy of this ordinance under the seal of the city to the said purchasers of the said bonds or any subsequent holders thereof, as the assurance of the said city that the same are in all respects its binding and legal obligations.

That all ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

That this ordinance shall take effect from and after its approval.

Effective February 24, 1894.

AN ORDINANCE

Providing for the issue of bonds for corporate purposes, for \$800,000.00.

Whereas, The corporation of Salt Lake City is desirous of borrowing the sum of \$800,000.00 for the making of permanent improvements and for other corporate purposes, and it has been deemed prudent and best to issue a series of eight hundred One Thousand Dollar bonds pursuant to the provisions of

an act of the Governor and Legislative Assembly of the Territory of Utah, approved March 8th, 1888, and amended February 26th, 1894, wherefore,

Section 1. Be and it is ordained by the city council of Salt Lake City that for the purpose of obtaining money for permanent improvements and for other corporate purposes, said corporation shall issue a series of eight hundred engraved, coupon bonds of the denomination of One Thousand Dollars each; the principal payable at the office of the city treasurer of the city of Salt Lake City, twenty years after the date thereof. Said bonds to bear the date of May 1st, 1894, with interest from the date thereof at the rate of five per cent per annum and payable semi-annually thereafter on the first days of November and May of each year in the City of New York at the banking house of the National Bank of the Republic, or at the banking house of McCornick & Co. of Salt Lake City or its successors, on the presentation and surrender of the coupons as they become due, both interest and principal payable in gold and said bonds shall be exempted from taxation by said city.

Sec. 2. Said bonds shall be signed by the mayor and treasurer of said city, and before the issue of any of them the corporate seal of said city shall be thereunto affixed, and duly attested by the recorder of said city. The coupons attached to each of these bonds, representing the interest to accrue thereon, shall each be signed by the treasurer of said city either by his own hand or by lithographic copy of the signature of said treasurer, and such coupons when so signed, issued and delivered by the proper authorities of said city with such bond or bonds to a purchaser or purchasers thereof, shall become and be lawful obligations of said city in the hands of any person to whom they may lawfully come, for the payment of said interest as shown thereby.

Sec. 3. Said bonds shall be numbered from one to eight hundred both inclusive and they shall be registered in numerical order in a book kept for such purpose by the auditor of said city and said bonds shall be sold only upon the order of the city council and in such lots and upon such terms as it shall

designate and to each of said bonds there shall be attached forty coupons numbered respectively from one to forty both inclusive, with the proper date of payment named therein.

Sec. 4. The seal of the corporation shall not be impressed upon said bonds until the sale thereof, and then said impression shall be made in the presence of the mayor and treasurer and committee on finance of said city, provided, the order of selling and attesting said bonds including the sealing thereof may be changed or modified by the order of said city council.

Sec. 5. Whenever the city council of Salt Lake City shall have arranged to issue said bonds or any part of them, said council shall direct the mayor of said city to advertise for the sale of bonds to be issued as aforesaid, by causing notice of said sale to be given in such manner and for such period of time as the city council shall direct. Said notice shall specify the amount of bonds to be sold, rate of interest they shall bear, the place, day and hour of sale, and that the bids shall be received by said mayor for the purchase of said bonds, and at the place and time named in said notice. The mayor and committee on finance of said city council shall open all bids received by said mayor and they shall award the purchase of said bonds, or the portion thereof offered for sale, to the highest bidder or bidders therefor, provided, said mayor and said committee on finance shall have the right on behalf of said city to reject any and all bids, and provided further, that they may in their discretion refuse to make any award of said bonds, unless sufficient security shall be furnished by the bidder or bidders for the compliance with the terms of his or their bids.

Sec. 6. For the purpose of providing for the payment of the interest on said bonds as the same shall become due, the sum of Twenty Thousand Dollars, or so much thereof as may be necessary, is hereby appropriated accordingly.

Sec. 7. This ordinance to take effect from and after its passage.

Effective March 31, 1894.

AN ORDINANCE.

Be it ordained by the city council of Salt Lake City, Utah, that section 6 of An Ordinance providing for the issuance of bonds for corporate purposes, for \$800,000.00, approved March 31, 1894, be and the same is hereby amended by adding after the word "dollars" in fourth line of said section the word "semi-annually," and by adding the following to the end of said section:

"At the expiration of ten years after the issuance of said bonds there shall be set apart, and the same is hereby appropriated as a sinking fund, the sum of \$80,000 per annum to pay the principal of said bonds when the same shall fall due. Provided that nothing herein contained shall prevent the city council of Salt Lake City at any time hereafter from making any other provision or appropriation for the redemption of any or all of said bonds, which said provisions or appropriation shall be in accordance with the laws of Utah as they now or may hereafter exist.

Effective April 27, 1894.

NOTICE OF SALE OF CITY REFUNDING BONDS.

Notice is hereby given that Salt Lake City proposes to issue and sell five hundred refunding bonds dated January 1, 1901, of the denomination of One Thousand Dollars each, bearing interest at the rate of three and one-half per cent, payable semi-annually, principal payable twenty years after date without any option of prepayment. All bids must be sealed and envelope marked on outside, "Bid on bonds." Each bid shall carry with it as a guarantee of good faith a certified check on a local bank for five per cent. of the amount of said bid.

No qualified bids will be considered.

The city reserves the right to refuse any or all bids.

Bids must be filed with the city recorder not later than five o'clock p. m. on Wednesday, the 26th day of December, 1900.

SALT LAKE CITY CORPORATION.

By order of its City Council,

J. O. NYSTROM, City Recorder.

A RESOLUTION

Providing for the refunding of Five Hundred Thousand Dollars in bonds issued pursuant to a resolution passed October 7th, 1890, found in the Revised Ordinances of Salt Lake City of 1892.

Whereas, Pursuant to a resolution passed by the city council, of Salt Lake City, October 7th, 1890, Salt Lake City issued and sold and has outstanding five hundred bonds of the denomination of One Thousand Dollars each, bearing interest at five per cent. per annum dated January 1st, 1891, payable twenty years after date with the option of paying the same upon the expiration of ten years after date; and

Whereas, It is possible now to refund said bonds at a lower rate of interest and thereby effect a large saving to Salt Lake City Corporation; now, therefore, be it

Resolved, By the City Council of Salt Lake City:

Section 1. That for the purpose of obtaining money to refund and liquidate said issue of bonds of January 1st, 1891, that Salt Lake City Corporation issue a series of five hundred coupon bonds of the denomination of One Thousand Dollars each, the principal payable at the office of the city treasurer of Salt Lake City twenty years after date thereof, said bonds to bear date of January 1, 1901, with interest thereon from said date at the rate of 3 1-2 per cent. per annum, interest payable semi-annually thereafter on the first days of July and January of each year in the city of New York at the banking house of Wells, Fargo & Co., or its successors, or at the office of the city

treasurer in Salt Lake City, on presentation and surrender of said coupons as they become due, both principal and interest payable in lawful money of the United States; and said bonds shall be exempt from taxation by said city.

Sec. 2. Said bonds shall be signed by the mayor and city recorder, and before issuance of the same, the corporate seal of Salt Lake City shall be attached to each.

Sec. 3. Said bonds shall be known as Salt Lake City refunding bonds and shall be numbered from 501 to 1000, both inclusive, and shall be registered in numerical order in a book kept for that purpose by the auditor of said city, and shall be sold only upon the order of the city council, in such lots, on such terms and in such manner as it shall designate, and shall be of a form and tenor to be approved by the city council, and to each of said bonds there shall be attached forty interest coupons to be numbered from 1 to 40, both inclusive, with the proper dates of payment named therein, and each shall bear the lithographic signature of the mayor and city recorder.

Sec. 4. All moneys derived from the sale of the bonds issued pursuant to this resolution shall be applied solely to the purpose of paying and refunding said five hundred thousand dollars of bonds issued pursuant to the aforesaid resolution of October 7th, 1890.

Sec. 5. There shall be set aside out of the revenue of said city semi-annually a sum sufficient to pay the interest upon said bonds, and for the payment of the principal and interest of said issue of bonds, the faith and credit of Salt Lake City is hereby pledged.

Effective November 28, 1900.

AN ORDINANCE

Providing for issuing and disposing of certain bonds by Salt Lake City corporation, for the purpose of increasing the water supply and improving waterworks system of said Salt Lake City corporation, as authorized by a vote of the taxpayers of said city on July 16, 1900.

Be it ordained:

Section 1. That for the purpose of increasing the water supply and improving the waterworks system of Salt Lake City, the committee of finance of the city council are hereby authorized to take all necessary steps looking toward the issuance and sale of \$250,000 in bonds of the following denominations:

100 bonds of the denomination of \$500.00 each, and
200 bonds of the denomination of \$1000 each.

Sec. 2. Said bonds shall be known as Salt Lake City water bonds, and issued and sold for the express purpose of increasing the water supply and improving the waterworks system of Salt Lake City.

Sec. 3. Said bonds shall bear the date of August 20, 1900, and shall be payable twenty years from date, and shall be numbered from 1 to 300, both inclusive. The principal of said bonds shall be payable at the office of the city treasurer of Salt Lake City, and interest shall be made payable at New York city or Salt Lake City, or their successors. Both such principal and interest shall be payable in lawful money of the United States.

Sec. 4. Said bonds shall bear interest at a rate not to exceed 4 per cent. per annum payable semi-annually.

Sec. 5. Said bonds shall be signed by the mayor and city recorder and attested by the corporate seal of said city.

Sec. 6. Said bonds shall bear coupons for the interest, so arranged that they may be detached without mutilation of the bonds, said interest coupons to bear the signatures of the mayor and city recorder, either by their own hand or by lithographic copy of each.

Sec. 7. The city recorder is hereby instructed to advertise for bids on said bonds for a period of ten days, said advertising to be done under the instructions of the finance committee of the council.

Sec. 8. There shall be set aside and placed in a special account annually out of the receipts of the waterworks department from water rates a sufficient sum to pay the interest on said bonds.

Sec. 9. The net receipts of the waterworks department shall be laid aside and placed in a special fund for the purpose of redeeming such bonds as may be issued for waterworks purposes, provided said special fund may from time to time be invested by the Finance committee of the city council, subject to the approval of the mayor and city council in bonds of the United States, State of Utah, city or county of Salt Lake, or Salt Lake City school bonds.

Sec. 10. The bonds issued under the provisions of this ordinance shall be exempt from taxation by Salt Lake City.

Effective July 25, 1900.

AN ORDINANCE

Providing for issuing and disposing of certain bonds by Salt Lake City corporation for the purpose of increasing the water supply and improving waterworks system of said Salt Lake City corporation, as authorized by a vote of the taxpayers of said city on July 16, 1900.

Be it ordained:

Section 1. That for the purpose of increasing the water supply and improving the waterworks system of Salt Lake City, the committee of finance of the city council are hereby authorized to take all necessary steps looking toward the issuance and sale of \$250,000 in bonds of the following denominations:

100 bonds of the denomination of \$500 each.

200 bonds of the denomination of \$1000 each.

Sec. 2. Said bonds shall be known as Salt Lake City Water Bonds, and issued and sold for the express purpose of increasing the water supply and improving the waterworks system of Salt Lake City.

Sec. 3. Said bonds shall bear the date of September 1st, 1900, and shall be payable twenty years from date, and shall be numbered from one to 300, inclusive. The principal of said bonds shall be payable at the office of the city treasurer of Salt Lake City, and interest shall be made payable at either Salt Lake City or New York City. Both such principal and interest shall be payable in lawful money of the United States.

Sec. 4. Said bonds shall bear interest at a rate not to exceed four per cent per annum, payable semi-annually.

Sec. 5. Said bonds shall bear coupons for the interest, so arranged that they may be detached without mutilation of the bonds, said interest bonds to bear the signatures of the mayor and city recorder, either by their own hand or by lithographic copy of each.

Sec. 6. The mayor and city recorder are hereby authorized and directed to sign and deliver said bonds to the purchasers thereof on behalf of said city and shall attest the same by the corporate seal of said city.

Sec. 7. The city recorder is hereby instructed to advertise for bids for said bonds for a period of ten days, said advertising to be done under the instructions of the finance committee of the council.

Sec. 8. The revenue from the waterworks department shall hereafter be kept in a special fund by the city treasurer, and said fund shall be expended as follows: First, a sufficient part thereof shall be set aside to pay the interest upon the issue of bonds provided for by this ordinance. Second, so much thereof as may be necessary shall be used for the general maintenance of the water works system and such extensions and improvements as may be from time to time ordered by the city council. Third, after paying interest on said bonds and expenditures for maintenance and improvements, as above pro-

vided, the revenue remaining shall be set aside and placed in a special fund for the purpose of redeeming such bonds as may be issued for waterworks purposes, including the bonds herein provided for. Provided, however, that said special fund may be invested from time to time by the finance committee of the city council, subject to the approval of the mayor and city council, in bonds of the United States, the State of Utah, city or county of Salt Lake or Salt Lake City school bonds, and provided, further, that when the fund so created shall equal the bonds issued for waterworks purposes, then and thereafter the net revenues of the waterworks department, after paying the expenses, improvements and interest, shall be placed in the general fund.

Sec. 9. Salt Lake City hereby pledges its credit for the payment of said bonds and interest as the same fall due.

Sec. 10. The bonds issued under the provisions of this ordinance shall be exempt from taxation by Salt Lake City.

Sec. 11. All ordinances or portions of ordinances in conflict herewith are hereby repealed.

Sec. 12. This ordinance shall be in force from and after its approval.

Effective August 9, 1900.

AN ORDINANCE

Providing for the issuing and disposing of certain bonds by Salt Lake City, for the purpose of increasing the water supply and improving the waterworks system of said Salt Lake City, as authorized by a vote of the taxpayers of said city on July 16, 1900.

Be it ordained by the City Council of Salt Lake City, Utah, that,

Section 1. For the purpose of increasing the water supply and improving the waterworks system of Salt Lake City, in pursuance of a vote of the taxpayers of said city on July 16,

1900, authorizing the same, there shall be issued the bonds of Salt Lake City corporation to the amount of \$250,000, bearing 4 per cent interest per annum, payable semi-annually, consisting of two hundred and fifty bonds of the denomination of one thousand dollars each.

Sec. 2. Said bonds shall be known as Series A of Salt Lake City Water Bonds, and shall be issued and sold for the express purpose of increasing the water supply and improving the waterworks system of Salt Lake City. They shall bear date October 1, 1900, and be payable twenty years after date, with the option of paying the same at any time after ten years after date, and shall be numbered from 1 to 250 inclusive. The principal of said bonds shall be payable at the office of the city treasurer of Salt Lake City, and the interest shall be made payable at either Salt Lake City or New York city at the option of the holders thereof. Both principal and interest shall be payable in lawful money of the United States. Interest coupons shall be attached thereto, payable semi-annually as hereinbefore provided, and so arranged that they may be detached without mutilation of said bonds. Such interest coupons shall bear the signature of the mayor and city recorder, either by their own hands or by lithographic copy of each. The obligation of the city for the principal of each of said bonds shall, however, be signed by the mayor and city recorder in their own handwriting.

Sec. 3. The finance committee of the city council with the mayor associated is hereby authorized to receive bids for such bonds with or without advertisement in their discretion, and is further authorized to contract for the sale of such bonds, subject, however, to the approval of the city council.

Sec. 4. When such bonds shall have been sold and the contract for the sale of the same shall have been approved by the city council, the mayor and city recorder shall thereupon, and they are hereby authorized and directed to sign and deliver said bonds to the purchasers thereof, on behalf of said city, and shall attest the same by the corporate seal of Salt Lake City corporation.

Sec. 5. The revenue from the waterworks department

shall hereafter be kept in a special fund by the city treasurer, and said fund shall be expended as follows: First, a sufficient part thereof shall, each year, be set apart to pay the interest for such year upon the issue of bonds provided for by this ordinance. Second, so much thereof as may be necessary shall be used for the general maintenance of the waterworks system, and such extensions and improvements as may from time to time be ordered by the city council. Third, after paying interest on said bonds and expenditures for maintenance and improvements as above provided, the revenue remaining shall be set aside and placed in a special fund for the purpose of redeeming such bonds as may be issued for waterworks purposes, including the bonds herein provided for. Provided, however, that said special fund may be invested from time to time by the finance committee of the city council, subject to the approval of the mayor and city council, in bonds of the United States, the State of Utah, city or county of Salt Lake, or Salt Lake City school bonds, and provided further that when the fund so created shall equal the principal of the bonds issued for waterworks purposes, then and thereafter the net revenues after paying interest, expenses and improvements, shall be placed in the general fund.

Sec. 6. Salt Lake City hereby pledges its credit for the payment of said bonds and interest as the same fall due.

Sec. 7. The bonds issued under the provisions of this ordinance, shall be exempt from taxation by Salt Lake City.

Sec. 8. In the event of a failure to derive any resources from said waterworks system, or in the event that the resources therefrom shall at any time not be sufficient to pay and discharge either the principal or interest of said bonds as the same become due, the said Salt Lake City shall, in due form and manner, levy and collect upon, of and from the taxable property of said city, a tax sufficient to pay and discharge the same, in case of total failure, or in case of deficiency, to pay and discharge such deficiency.

Sec. 9. Whereas, R. C. Naylor, the duly elected and qualified city recorder, is absent from the State of Utah and will be absent when said bonds are to be signed, and whereas, J. O.

Nystrom is the duly and regularly appointed and qualified deputy city recorder, the said J. O. Nystrom, deputy city recorder, is hereby directed and authorized to sign said bonds when issued in the name of the city recorder.

Sec. 10. All ordinances and resolutions and parts of ordinances and resolutions in conflict herewith are hereby repealed.

Sec. 11. This ordinance shall be in force from and after its passage and approval.

Effective September 24, 1900.

AN ORDINANCE

Amending an ordinance entitled "An ordinance providing for the issuing and disposing of certain bonds of Salt Lake City for the purpose of increasing the water supply and improving the waterworks system of said Salt Lake City, as authorized by a vote of the taxpayers of said city on July 16, 1900."

Be it ordained by the City Council of Salt Lake City, Utah, that:

Section 1. An ordinance entitled "An ordinance providing for the issuing and disposing of certain bonds of Salt Lake City for the purpose of increasing the water supply and improving the waterworks system of said Salt Lake City, as authorized by a vote of the taxpayers of said city on July 16, 1900," be and the same is hereby amended by striking out and repealing section 9 of said ordinance.

Sec. 2. This ordinance shall be in force from and after its approval.

Effective December 29, 1900.

AN ORDINANCE

Providing for the refunding of five hundred thousand dollars in bonds, issued pursuant to resolution passed October 7, 1890, found in the Revised Ordinances of Salt Lake City of 1892.

Whereas, Pursuant to a resolution passed by the city council of Salt Lake City, October 7, 1890, Salt Lake City issued and sold, and has now outstanding, five hundred bonds of the denomination of one thousand dollars each, dated January 1, 1891, payable twenty years after date, with the option of paying same upon the expiration of ten years after date; and

Whereas, It is possible now to refund said bonds at a lower rate of interest and thereby effect a large saving to Salt Lake City corporation, and the firm of Farson, Leach & Company of New York city and Chicago has made a proposition to purchase the bonds to be issued pursuant to this ordinance hereinafter more particularly described, which proposition has been accepted by the city council; now, therefore, be it

Ordained by the city council of Salt Lake City:

Section 1. That for the purpose of refunding said issue of bonds of January 1, 1891, Salt Lake City corporation issue a series of five hundred coupon bonds of the denomination of one thousand dollars each, the principal payable at the office of the city treasurer of Salt Lake City twenty years after date thereof, said bonds to bear date of January 1, 1901, with interest thereon from said date at the rate of four per cent per annum, said interest payable semi-annually thereafter on the first days of July and January of each year, in the city of New York, at the banking-house of Wells, Fargo & Co., or at the office of the city treasurer in Salt Lake City, on presentation and surrender of the said coupons as they become due, both principal and interest being payable in lawful money of the United States. Said bonds shall be exempt from taxation by said city.

Sec. 2. Said bonds shall be signed by the mayor and city recorder, and before issuance of the same, the corporate seal of Salt Lake City shall be attached to each. Said bonds shall

be known as "Salt Lake City refunding bonds," and shall be numbered from 501 to 1000, both inclusive, and shall be registered in numerical order in a book kept for that purpose by the auditor of said city, and shall have forty interest coupons attached thereto, to be numbered from 1 to 40, both inclusive, with the proper dates of payment named thereon, and which shall bear the lithographic signatures of the mayor and city recorder. Said bonds shall be substantially in the following form.

United States of America,
State of Utah.

Salt Lake City Refunding Bond.

No. _____.

\$1,000.00.

Know all men by these presents, that the city of Salt Lake, in the county of Salt Lake and State of Utah, acknowledges itself to be indebted and for value received hereby promises to pay to the bearer hereof the sum of one thousand dollars in lawful money of the United States on the first day of January, 1921, at the office of its city treasurer, with interest thereon at the rate of four (4) per cent per annum, from date until paid, payable semi-annually, in like money on the first days of January and July in each year at the same place, or, at the option of the holder, at the banking-house of Wells, Fargo & Co., in the city of New York, on presentation and surrender of the annexed coupons as they severally become due.

This bond is one of a series of five hundred (500) bonds of like tenor, date and amount, numbered from five hundred and one to one thousand, inclusive, and known as "Salt Lake City refunding bonds," for the aggregate sum of five hundred thousand dollars (\$500,000.00), issued for the purpose of refunding a like amount of the outstanding bonds of said city, heretofore issued pursuant to law, under and pursuant to section 206 of the Revised Statutes of Utah, and pursuant to an ordinance of the city council adopted and approved by the mayor and published, providing for the issuance and disposal of such bonds.

And it is hereby recited that all acts, conditions and things

required to exist and to be performed precedent to and in the issuing of said bonds, have duly existed and been performed in due manner and form, as required by the Constitution and laws of said state; and that the total indebtedness of said city, both bonded and floating, including this issue of bonds, is not in excess of any special or general statutory or constitutional limit of indebtedness.

In witness whereof the said city of Salt Lake City has, by the ordinance above recited, caused this bond to be signed and delivered and the corporate seal of said city to be thereto attached by the mayor and city recorder, on this first day of January, 1901.

Mayor.

City Recorder.

\$20.00. No. —

On the first day of, 19. . ., the city of Salt Lake City, Utah, will pay to bearer at the city treasurer's office or at the option of the holder, at the banking-house of Wells, Fargo & Co., in the city of New York, twenty dollars in lawful money of the United States, being six months' interest on its refunding bond numbered

Dated January 1, 1901,

Mayor.

City Recorder.

COUPON.

(Certificate to be endorsed on back of bond.)

It is hereby certified, pursuant to section 146 of the Revised Statutes of Utah, that the within bond is within the lawful debt limit of the city of Salt Lake City, Utah, and is issued according to law.

Dated January 1, 1901.

City Auditor.

Sec. 3. Upon the execution of said bonds they shall be delivered to said firm of Farson, Leach & Company, upon the payment of the purchase price thereof, as heretofore agreed, provided, however, that none of the said bonds shall be issued unless and until a like amount of the outstanding bonds issued pursuant to said resolution of October 7, 1890, has been surrendered and canceled.

Sec. 4. There shall be set aside out of the revenue of said city semi-annually a sum sufficient to pay the interest upon said bonds, and for the payment of the principal and interest of the said issue of bonds, the faith and credit of Salt Lake City is hereby pledged.

Sec. 5. That this ordinance shall take effect immediately upon its approval and publication in a newspaper published in the city of Salt Lake, and any resolutions inconsistent herewith are hereby repealed.

Effective February 1, 1901.

AN ORDINANCE

Providing for the refunding of two hundred thousand dollars in bonds, issued pursuant to resolution passed June 9, 1891, found in the Revised Ordinances of Salt Lake City of 1892, page 151.

Whereas, Pursuant to a resolution of the city council of Salt Lake City, passed June 9, 1891, Salt Lake City issued and sold and has now outstanding two hundred bonds of the denomination of one thousand dollars each, dated July 1, 1891, payable twenty years after date, with the option of paying same upon the expiration of ten years after date; and,

Whereas, It is possible now to refund said bonds at a lower rate of interest and thereby effect a large saving to Salt Lake City corporation, and the firm of Farson, Leach & Company of New York and Chicago has made a proposition to pur-

chase the bonds to be issued pursuant to this ordinance hereinafter more particularly described, which proposition has been accepted by the city council; now, therefore, be it

Ordained by the city council of Salt Lake City:

Section 1. That for the purpose of refunding said issue of bonds of July 1, 1891, Salt Lake City corporation issue a series of two hundred coupon bonds of the denomination of one thousand dollars each, the principal payable at the office of the city treasurer of Salt Lake City, twenty years after date thereof, said bonds to bear date of July 1, 1901, with interest thereon from said date at the rate of 4 per cent per annum, said interest payable semi-annually thereafter on the first days of January and July of each year, in the city of New York, at the banking-house of Wells, Fargo & Co., or at the office of the city treasurer in Salt Lake City, on presentation and surrender of the said coupons as they become due; both principal and interest being payable in lawful money of the United States. Said bonds shall be exempt from taxation by said city.

Sec. 2. Said bonds shall be signed by the mayor and city recorder, and before issuance of the same, the corporate seal of Salt Lake City shall be attached to each. Said bonds shall be known as "Salt Lake City refunding bonds," and shall be numbered from 1001 to 1200, both inclusive, and shall be registered in numerical order in a book kept for that purpose by the auditor of said city, and shall have forty interest coupons attached thereto, to be numbered from 1 to 40, both inclusive, with the proper dates of payment named therein, and which shall bear the lithographic signatures of the mayor and city recorder. Said bonds shall be substantially in the following form.

United States of America,
State of Utah.

Salt Lake City Refunding Bond.

No.—

\$1,000.00.

Know all men by these presents, that the city of Salt Lake, in the county of Salt Lake and State of Utah, acknowledges itself to be indebted and for value received, hereby

promises to pay the bearer hereof the sum of one thousand dollars in lawful money of the United States on the first day of July, 1921, at the office of its city treasurer, with interest thereon at the rate of 4 per cent per annum from date until paid, payable semi-annually, in like money on the first days of January and July in each year at the same place, or at the option of the holder, at the banking-house of Wells, Fargo & Co., in the city of New York, on presentation and surrender of the annexed coupons as they severally become due.

This bond is one of a series of two hundred (200) bonds of like tenor, date and amount, numbered from one thousand and one to twelve hundred, both inclusive, and known as "Salt Lake City refunding bonds" for the aggregate sum of two hundred thousand (\$200,000) dollars, issued for the purpose of refunding a like amount of outstanding bonds of said city heretofore issued pursuant to law, under and pursuant to section 206 of the Revised Statutes of Utah, and pursuant to an ordinance of the city council adopted and approved by the mayor and published, providing for the issuance and disposal of such bonds.

And it is hereby recited that all acts, conditions and things required to exist and to be performed precedent to and in the issuing of said bonds, have duly existed and been performed in due manner and form as required by the Constitution and laws of the said State; and that the total indebtedness of the said city, both bonded and floating, including this issue of bonds, is not in excess of any special or general statutory or constitutional limit of indebtedness.

In witness whereof, the said city of Salt Lake has, by the ordinance above recited, caused these bonds to be signed and delivered, and the corporate seal of the said city to be thereto attached by the mayor and city recorder on this first day of July, 1901.

Mayor.

City Recorder.

COUPON.

\$20.00.

No. —

On the first day of, 19. ., the city of Salt Lake, Utah, will pay to bearer at the city treasurer's office, or, at the option of the holder, at the banking-house of Wells, Fargo & Co., in the city of New York, twenty dollars in lawful money of the United States, being six months interest on its refunding bond numbered Dated July 1, 1901.

 Mayor.

City Recorder.

(Certificate to be endorsed on back of bond.)

It is hereby certified, pursuant to section 146 of the Revised Statutes of Utah, that the within bond is within the lawful debt limit of the city of Salt Lake City, Utah, and is issued according to law.

 City Auditor.

Dated July 1, 1901.

Sec. 3. Upon the execution of the said bonds, they shall be delivered to the said firm of Farson, Leach & Co. upon the payment of the purchase price thereof, as heretofore agreed, provided, however, that none of the said bonds shall be issued unless and until a like amount of the outstanding bonds issued pursuant to said resolution of June 9, 1891, has been surrendered and canceled.

Sec. 4. There shall be set aside out of the revenue of the said city semi-annually a sum sufficient to pay the interest upon said bonds, and for the payment of the principal and interest of the said issue of bonds, the faith and credit of Salt Lake City is hereby pledged.

Sec. 5. This ordinance shall take effect immediately upon its approval and publication in a newspaper published in the city of Salt Lake, and any resolutions inconsistent herewith are hereby repealed.

Effective June 19, 1901.

CANALS.

JORDAN AND SALT LAKE CITY CANAL.

A Resolution providing for the construction of the Jordan and Salt Lake City Canal.

Be it Resolved by the City Council of Salt Lake City That for the purpose of increasing the water supply of said city, the corporation thereof shall proceed to construct a canal to convey water from the Jordan river into said city. Said canal shall be known as the Jordan and Salt Lake City Canal and be located as follows, viz.: Commencing at a point on the east bank of said river, where the waters of the South Jordan canal are taken out, and running in conjunction with said canal to where its flume crosses said river; thence in a northeasterly direction to the first workings of the Deseret Irrigation and Navigation Canal Company's canal near Big Cottonwood; thence on the route of said canal, so far as practicable, to Salt Lake City. The said canal shall be made twenty feet wide in the bottom, with banks sloping at an angle of not to exceed forty-five degrees, at the discretion of the engineer of construction, and of sufficient capacity to safely carry four feet in depth of water.

Be it further Resolved, That the city council shall appoint a competent engineer of construction for said canal, and that the mayor, one member of the city council, to be selected by that body, and said engineer, shall constitute a committee to supervise the construction of said canal, with authority to negotiate with the land-owners through whose lands said canal will pass, and secure a right of way therefor, and the title to all such lands, when acquired, shall vest in the corporation of Salt Lake City. Said committee may advertise in some newspaper having general circulation in the city, to let contracts for exca-

vation and other labor, to contract for or purchase all materials necessary for said work, employ workmen and perform all other duties necessary to the construction and completion of said canal. Said committee shall report its doings monthly, or oftener, if required by the city council, and shall be subject to its direction.

Be it further Resolved, That all moneys that may be received to assist in defraying the expense of constructing said canal, whether from the United States, the Territory of Utah, Salt Lake county or from any private person, shall be paid into the city treasury to the credit of said canal and be used exclusively therefor. All labor done by persons, either individually or collectively, on account of securing an interest in the waters of said canal, shall be credited to them and held to apply upon any assessment which may be made on their lands for irrigating water. That whenever necessary for the prosecution of the work on said canal, the city council may, for the time being, appropriate from the general fund of the corporation enough money for that purpose, charging the same to said canal. No funds shall be disbursed on account of said canal except upon vouchers certified to by the engineer of construction and countersigned by one other member of the committee of supervision; and

Be it further Resolved, That when said canal is completed, the waters flowing through it shall be controlled and distributed through the various water ditches of said city, under the same regulations as are provided by "An ordinance relating to the control and distribution of the waters flowing into Salt Lake City," passed March 4, 1879, and no waters shall be distributed from said canal to any lands lying outside the corporate limits of said city.

Effective November 25th, 1879.

PARLEY'S CANYON CREEK.

A Resolution authorizing the Mayor to sign an agreement with certain owners of the waters of Parley's Canyon Creek.

Section 1. Be it Resolved by the City Council of Salt Lake City: That the mayor of said city is hereby authorized to sign the following agreement on the part of Salt Lake City, made and entered into by and between said Salt Lake City and the owners of primary rights to the use of the waters of Parley's Canyon Creek, to-wit:

Agreement:

This agreement, made and entered into this 25th day of June, A. D. 1888, by and between the owners of the primary rights to the waters of Parley's Canyon Creek, whose names are signed hereto, of Salt Lake County, Territory of Utah, parties of the first part, and Salt Lake City, a municipal corporation of the Territory of Utah, party of the second part, witnesseth:

Whereas, the parties of the first part are the owners of primary rights to the waters of Parley's Canyon Creek, and the party of the second part is the owner of the Jordan and Salt Lake City Canal, which conveys water from the Jordan river at a point near what is called the "Narrows" in said river to Salt Lake City for irrigation purposes; and

Whereas, the party of the second part is desirous of obtaining water for irrigation and culinary purposes to supply a portion of the inhabitants of said city whose lands lie above the said Jordan and Salt Lake City Canal, it being impracticable to irrigate said lands from the waters of said canal and for sprinkling streets above the line of said canal, and for other uses and purposes connected with the welfare of the inhabitants of said city; and

Whereas, the agent of said second party, to-wit, the mayor of Salt Lake City, has made propositions to the parties of the first part, with a view to making an exchange of the waters of Parley's Canyon creek, owned by the parties of the first part, for those of the Jordan and Salt Lake City canal, and said parties of the first part have met and considered said propositions, and have agreed to make said exchange under proper conditions and restrictions; now, therefore,

It is hereby agreed as follows: The parties of the first part, whose names are signed hereto, agree to exchange the waters of the Parley's Canyon creek to which they are entitled for an equivalent quantity of water from the Jordan and Salt Lake City canal down to the time when the primary rights exhaust the whole of said creek for irrigation purposes (and for the quantity of water to be furnished after said last named time as next hereinafter further agreed), and to permit, allow and authorize said party of the second part to take said waters of the Parley's Canyon creek at any point it may choose, and devote the same to the use and benefit of the inhabitants of Salt Lake City.

And it is further agreed, that at each season when the period arrives that the waters of said Parley's Canyon creek are at their normal stage—that is to say, when they are at the stage when the owners of the primary rights therein are entitled to the whole of said stream for irrigating purposes—then the party of the second part shall have the waters of said creek measured at the place where it takes said waters from said Parley's Canyon creek, and the board hereinafter provided for shall decide as to such time, and it hereby guarantees to furnish to the parties of the first part from and after the date of such measurement, and until the fifteenth day of August, a continuous supply of water from said canal equal to the portion of said creek owned by the parties of the first part at the time of such measurement; and at the last named date the waters of said creek shall be measured again as aforesaid, and the party of the second part shall furnish to the parties of the first part, from and after said measurement, a continuous supply of water from said canal equal to the portion of said creek

owned by them at the time of said last measurement during the remainder of the season.

The second party agrees to maintain all existing rights of the parties of the first part to the waters of the said Parley's Canyon creek, and to keep in repair the said Jordan and Salt Lake City canal, and by its agent, jointly with the agent of the parties of the first part, on the exchange aforesaid; and also to construct the necessary ditch or ditches, headgates and dams to take out the said waters of the said canal and Parley's Canyon creek, and provide for rights of way for the same, all at its own cost and expense, and without cost or expense to the parties of the first part.

If at any time either party shall feel aggrieved at the action of the other party as to the fulfillment of or as to any condition or portion of this agreement, it is agreed by and between the parties hereto that said board shall decide the question in issue between said parties, and its decision shall be final.

If at any time the party of the second part, through any cause whatever, fail to supply to the parties of the first part the said quantity of water from said canal, it is expressly understood and agreed that said parties of the first part shall be restored to the portions of Parley's Canyon creek appropriated and used by the party of the second part under the terms of this agreement; and in case of said failure on the part of said party to furnish the waters in said canal for the use of the parties of the first part as hereinbefore specified and agreed, it shall not be necessary for the parties of the first part to apply to any court or process of law to regain their rights in the waters of said Parley's Canyon creek, but their agent may at once give notice to the agent of the party of the second part of the said failure of the said party to furnish the said water in said canal as aforesaid, and if such default and failure on the part of said party of the second part shall continue for a period of twelve hours, then said agent for said first parties may at once proceed to turn said waters of said creek into their original channel, and place the same to the use of said parties of the first part, and all expense and damages caused by the

failure to furnish said canal waters as aforesaid shall be borne by the said party of the second part.

In case it shall happen at any time that the parties of the first part are forced to retake the water from Parley's Canyon creek for and on account of the failure of the party of the second part to furnish water from its canal as aforesaid, they hereby agree that the party of the second part may again have the waters from Parley's Canyon creek on the same terms and conditions as are herein specified, by furnishing to the parties of the first part, the water from said canal and sufficient more from that source within a time to be determined by said board to make up for any delays in irrigating occasioned by said default.

Provided, that if said default should continue; that is to say, if the party of the second part should fail to supply said canal water to the parties of the first part for a period of six months, then this agreement shall be null and void, and the party of the second part shall not be liable for any damage resulting from such default or failure to furnish said canal water except the damage that may have accrued before the termination of this agreement.

The party of the second part further agrees that it will not by its action diminish the quantity of water to which any one may be entitled in the Kennedy ditch or Parley's Canyon creek, who is not interested in this exchange.

It is further agreed by the parties hereto that the waters shall be turned into and flowing in the Jordan and Salt Lake City canal as soon as April 1st in each year.

It is mutually agreed that by March 1st in each year the two parties hereto shall each choose an agent, and they two a third, to constitute a board, a majority of whom can lawfully act; if the two agents cannot agree on a third within ten days, then said first parties shall select a wholly disinterested person as the third, from any place in Salt Lake county, Utah Territory, excepting only Salt Lake City and the owners of Parley's Canyon creek. It is agreed that said board shall decide all questions that arise in reference to this agreement, whether the

same be absolutely forfeited or not (except only as to the renewal of this agreement after absolute forfeiture), except as otherwise herein specially provided, and then in the latter instance in case of disagreement said board shall decide.

When agents are referred to in this agreement, they are meant who are selected by the parties hereto and in part constitute the board.

In case of a vacancy in said board, the same shall be filled as originally. If at any time where it is necessary for the agents or board to act immediately, and the proper number cannot be found to act within twelve hours, then the remaining agent or agents or board may act as legally as though both agents or a legal board were present; and in other cases the same may be done after the expiration of fifteen days.

As it is the intention of the parties hereto, that said first parties shall have no expense whatever to defray by reason of the said exchange, it is mutually agreed that said second party shall hold said first parties wholly harmless, in consequence of the exchange of said waters.

It is mutually agreed that said second party shall defray all expenses and fees of said board and of first parties' agent. It is mutually agreed that in any part of the year when said canal water is not furnished to said first parties, then and in that event said first parties are entitled to the waters of Parley's Canyon creek.

Whenever "first parties" are spoken of in this agreement it means, in addition to the natural meaning, the heirs, executors, administrators and assigns of said first parties.

This agreement shall be perpetual if the covenants and conditions herein expressed are kept and complied with.

It is further agreed that the party of the second part shall pay the assessment that shall be made yearly or oftener; and keep in repair what is known as the Kennedy ditch to the same extent and to the full amount that would be borne with the land owners below said canal using the water from said ditch; that is to say, the party of the second part shall do the work on said ditch that has been heretofore done by those obtaining water therefrom that owned land below said canal.

In witness whereof, we the undersigned parties of the first part have hereunto set our hands and seals, and the mayor of Salt Lake City, for and in behalf of the party of the second part, has hereunto set his hand and caused the corporate seal of said city to be hereunto affixed, the day and year in this agreement first above written.

Effective July 31, 1888.

GAS AND ELECTRIC LIGHT FRANCHISES.

SALT LAKE CITY GAS COMPANY.

An ordinance relating to the manufacture and distribution of gas.

(NOTE.—March 30th, 1872, an agreement was entered into between Salt Lake City and the Salt Lake Gas Company, in relation to furnishing gas to the city. January 18th, 1876, an ordinance was passed authorizing the purchase of sufficient of the capital stock of Salt Lake City Gas Company to cancel said company's indebtedness to Salt Lake City.)

Section 1. Be it ordained by the city council of Salt Lake City; that P. Lalor Sherry, George A. Smith, James Jack, Thomas Williams and Thomas W. Ellerbeck, their associates, heirs, successors and assigns, are hereby vested with the right to manufacture gas and the privilege of using the streets, lanes and alleys of said city, for the purpose of conveying the same in said city and to the citizens thereof for the term of twenty one years from and after the passage of this ordinance.

Sec. 2. That the said P. Lalor Sherry, George A. Smith, James Jack, Thomas Williams and Thomas W. Ellerbeck, their associates, heirs, successors and assigns, shall have and are hereby granted the right, and authority to use the streets, lanes and alleys of said city for the introduction of pipes and other apparatus for gas; provided, That such streets, lanes and alleys shall be repaired to the satisfaction of the said city council within a reasonable time; and provided also, that the said streets, lanes and alleys shall not at any time be unnecessarily obstructed; and all gas pipes shall be laid under the direction of the city council of said city.

Sec. 3. That in consideration of the privileges hereby granted to the said P. Lalor Sherry, George A. Smith, James Jack, Thomas Williams and Thomas W. Ellerbeck, their associates, heirs, successors and assigns; they the said P. Lalor

Sherry, George A. Smith, James Jack, Thomas Williams and Thomas W. Ellerbeck, their associates, heirs, successors and assigns shall construct their works and furnish gas for the said city and citizens thereof within one year from the date of the passage of this ordinance; provided that the price of gas so furnished to the citizens of said city shall not during the existence of this franchise exceed four dollars per one thousand cubic feet, nor shall the price of gas so furnished for the use of said city exceed the lowest average price at which gas shall or may be furnished to the private citizens as aforesaid, and provided further, that the quality of gas so furnished shall be as good as is or may be furnished to any other city in any of the territories of the United States, or in the Pacific States, and such gas to be furnished as aforesaid shall be subjected from time to time as said city council may direct, to such test as shall determine its quality and such gas shall be furnished as aforesaid in such quantity as the said city council may at any time require for public lamps and for public use.

Sec. 4. That it shall be the duty of said P. Lalor Sherry, George A. Smith, James Jack, Thomas Williams, and Thomas W. Ellerbeck, their associates, heirs, successors and assigns to lay gas mains and pipes in the said streets, lanes and alleys to the extent and within such times as shall be stipulated in such articles of agreement, as may be entered into by and between said city council, and the said P. Lalor Sherry, George A. Smith, James Jack, Thomas Williams, and Thomas W. Ellerbeck, their associates, heirs, successors and assigns, in pursuance of and not inconsistent with the provisions of this ordinance.

Sec. 5. That the mayor of said city is hereby authorized to sign all such contracts or articles of agreement as hereinbefore provided, and affix thereto the corporate seal of said city. All such contracts or articles of agreement to be executed in duplicate one of which shall be delivered to said P. Lalor Sherry, George A. Smith, James Jack, Thomas Williams and Thomas W. Ellerbeck, their associates, heirs successors and assigns, the other to be filed in the office of the city recorder of said city.

Sec. 6. That the said P. Lalor Sherry, George A. Smith, James Jack, Thomas Williams and Thomas W. Ellerbeck, their associates, heirs, successors and assigns, shall submit their proposed location for gas works to and obtain the approval thereof, by the city council of said city.

Sec. 7. That the privileges hereby granted shall not be forfeited by any temporary failure on the part of the said P. Lalor Sherry, George A. Smith, James Jack, Thomas Williams and Thomas W. Ellerbeck, their associates, heirs, successors and assigns, to comply with and perform any of the conditions from them exacted in this ordinance or any contract or article of agreement made in pursuance hereof as hereinbefore provided;—provided, such failures be remedied within a reasonable time.

Passed March 8th, 1872.

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An Ordinance amending "An Ordinance relating to the manufacture and distribution of gas, passed March 8, 1872, and for other purposes.

Section 1. Be it ordained by the city council of Salt Lake City, That Section Three of An Ordinance relating to the manufacture and distribution of gas, passed March 8, 1872, be and the same is hereby amended, by striking out the three words, "two-thirds of," next after the words, "city exceed."

Sec. 2. That the city waive the right to be furnished with gas for street lamps and public use, gratis, for the term of one year, as provided in articles of agreement made and entered into by and between said city by its mayor and the Salt Lake City Gas Company, March 30th, 1872.

Sec. 3. That said city will pay for all gas used by said city, at the rates as specified in said articles of agreement and for all necessary service pipe from mains to the city lamp posts.

Passed September 16th, 1873.

Resolution approving the location of the Salt Lake City Gas Company's works and for other purposes.

. Be it Resolved by the City Council of Salt Lake City: That the location of the Salt Lake City Gas Company's works, on lot one (1), in block eighty-two (82), plat A, Salt Lake City survey, be, and the same is, hereby approved.

Be it further resolved, that the Salt Lake City Gas Company have the privilege of constructing a railroad siding from said gas works, on lot one (1), block eighty-two (82), plat A, Salt Lake City survey, on or across Fourth West street, upon a practicable curve, to connect, as short as possible, with the Utah Central railroad.

And be it further resolved, that the said Salt Lake City Gas Company be, and are, hereby granted the right to control and use the water issuing from a spring near the northwest corner of block eighty-three (83), plat A, Salt Lake City survey, with the privilege of conducting the same (in pipes or otherwise) across Fourth West street, to the aforesaid Salt Lake City Company's gas works; Provided, that these grants shall continue in force during the existence of the present charter of the Salt Lake City Gas Company.

Passed February 18, 1873.

A Resolution granting certain privileges to the Salt Lake City Gas Company.

Section 1. Be it Resolved by the City Council of Salt Lake City: That the Salt Lake City Gas Company, a corporation existing under the laws of the Territory of Utah, its successors and assigns, be and it is hereby vested with the right and privilege of using the streets, lanes and alleys of Salt Lake City for the purposes of conveying gas to the users thereof, by means of suitable pipes laid or to be laid below the surface of the ground in said city, for the term of twenty-five (25) years from and after the passage of this resolution; Provided, the

Salt Lake City Gas Company, during the period aforesaid, shall furnish gas to the citizens of said city at a price not exceeding \$3 per thousand cubic feet, and to said city for a price not to exceed \$2.50 per thousand cubic feet, and shall supply the street lamps of said city with six-foot burners and gas at a price not to exceed \$35 per annum for each lamp, which amount shall include the lighting, extinguishing, cleaning and keeping said lamps in proper order and repair—the city paying for all necessary service pipes from the mains to the city lamp posts. The quality of illuminating gas furnished by said company to be not less than sixteen candle power, and the same to be subject, from time to time, under the direction of the city council, to such test as shall determine its quality; the gas to be furnished in such quantity as the council may require for public lamps and for public use, and as shall be sufficient to meet the reasonable demands of the citizens of said city; and the pipes shall be extended and such gas distributed on any and all streets in the city as fast as there may be any reasonable demand for the same on such streets.

Sec. 2. The said Salt Lake City Gas Company shall file with the city recorder a plot, showing the location of all the main gas pipes laid within the city by said company, who shall have the right during the term aforesaid to dig and open trenches from the surface of the ground down to said main gas pipes, for the purpose of maintaining them in good order and repair; and to enable said company to have access to said main gas pipes; no railroad track or ties, or any part thereof, or any like obstruction, shall be laid over said gas mains, or nearer than one foot in the clear from the bell joints of said gas mains, when measured by a vertical line, except where it is necessary for a railroad to cross said gas mains. And no gas pipes shall be laid nearer than four feet to any water main or service pipe, except where the pipes cross each other, nor shall any such gas pipes interfere with any future sewerage or other public improvements in said streets, lanes and alleys, but said company shall have the right to extend said pipes and box the same across any and all sewers, subject to the limitations aforesaid.

Sec. 3. All streets, lanes and alleys opened for the afore-

said purposes shall be repaired by the said company to the satisfaction of said city council, within a reasonable time, and said streets, lanes and alleys shall not be unnecessarily obstructed at any time; all excavations for gas pipes shall be made under the direction of the supervisor of streets, and the said gas company shall, at all times, be controlled and governed by the ordinances of the city then in force relating to the manner of laying distributing pipes, and of making and guarding excavations therefor.

Sec. 4. Said Salt Lake City Gas Company, its successors and assigns, shall be responsible for any damage, either to person or property, resulting from any act or negligence of the company, or its officers, agents or employes, which may accrue by reason of the exercise of any of the privileges herein granted.

Sec. 5. Unless a written acceptance of this resolution, with the conditions, restrictions and limitations therein contained, is filed by the Salt Lake City Gas Company with the city recorder of Salt Lake City within sixty days from the date of the passage thereof, this resolution, and the franchise hereby granted, shall be void and of no effect.

August 30, 1889.

SALT LAKE POWER, LIGHT AND HEATING COMPANY.

A Resolution relating to the Salt Lake Power, Light and Heating Company.

Section 1. Be it Resolved by the City Council of Salt Lake City, That the Salt Lake Power, Light and Heating Company, a corporation incorporated under the laws of the Territory of Utah, its successor and assigns, be and hereby are vested with the right and privilege of using the streets, lanes and

alleys of said city for the purpose of conveying electrical currents by means of wires, to be used for lighting, and also conveying steam by means of pipes, to be used for heating and propelling machinery and for other purposes, to the inhabitants, property-owners and users in said city, for the term of twenty-five years.

Sec. 2. That said company, its successors and assigns, during said term, be and hereby are vested with the right and privilege of erecting and maintaining in the streets, lanes and alleys of said city, poles, and attaching thereto and extending and maintaining thereon wires, for the purpose of transmitting electrical currents within the limits of said city, to the inhabitants, property-owners and users thereof; Provided, that said poles shall not be set nearer than six feet to any fire hydrant, gas or water main, or service pipe; and provided further, that said streets, lanes and alleys shall be repaired by said company, to the satisfaction of said city council, within a reasonable time, and said streets, lanes and alleys shall not unnecessarily be obstructed at any time; and, provided further, that said poles shall be set and the wires suspended thereon under the direction of said city council or some person appointed by it.

Sec. 3. That said company, its successors and assigns, during the said term, be and are hereby vested with the right and privilege of laying, extending and maintaining one or more pipes, for the purpose of conveying steam as aforesaid, at any point or points, in, along or across the streets, lanes and alleys lying south of South Temple street and north of Fourth South street, and between Second East and Second West streets, and at such other points as the said city council may hereafter permit; Provided, that said steam pipes shall not be required to be laid more than three feet beneath the surface of the ground; and provided further, that said steam pipes shall not be laid nearer than four feet to any gas or water main or service pipe, except where the pipes cross each other, or interfere with any future sewerage or other public improvements in said streets, lanes and alleys. But said company shall have the right to extend said pipes and box the same across any and all sewers. And, subject to the limitations aforesaid, steam pipes,

when laid, shall be laid and extended under the direction of the city council or some person appointed by it.

Sec. 4. That said Power, Light and Heating Company, its successors and assigns, shall be responsible for any damage, either to person or property, resulting from any act or negligence of theirs which may accrue by reason of the exercise of any of the privileges herein granted.

Passed January 11, 1881.

A Resolution authorizing the execution of a contract between Salt Lake City and the Salt Lake City Gas Company and the Salt Lake City Power, Light and Heating Company, for lighting the streets of Salt Lake City.

Be it Resolved by the city council of Salt Lake City: That the mayor of said city be and is hereby authorized and directed to sign and execute the following contract on the part of Salt Lake City, and the recorder of said city is hereby authorized to attest the same with his signature and the corporate seal of said city, and to deliver the same whenever it is properly executed by all the parties thereto. Said agreement to read as follows:

This agreement, made in triplicate, and entered into by and between Salt Lake City, a municipal corporation within the county of Salt Lake, in Utah Territory, and the Salt Lake City Gas Company, a corporation existing under the laws of said Territory, with its principal place of business in said city, county and Territory, and the Salt Lake Power, Light and Heating Company, a corporation existing under the laws aforesaid, with its principal place of business in the city, county and Territory aforesaid, witnesseth.

That whereas, said city and said gas company did mutually enter into a contract on or about February 8, 1887, by the terms of which it was mutually agreed that said company should furnish gas and light, extinguish and keep in repair

certain of the city street lamps, for lighting the streets of said city at certain specified prices, and that said city should pay the said specified prices for said services for the whole period embraced in said contract, to-wit: from January 1, 1887, to March 8, 1893; and

Whereas, said gas company has heretofore, in a communication to said city, dated April 11, 1889, offered to waive a part of said contract, to-wit: the unexpired term thereof, which relates to lighting the city street lamps of said city, without claim for costs or damages against said city; provided said city would make an agreement with the Salt Lake Power, Light and Heating Company to substitute an electric arc light at the intersection of the large blocks, over the area lighted by gas street lamps, at the same cost price over the same area as was then paid to said gas company for said gas lamps and in lieu of said gas lamps, the said gas company confirms said waiver by the signing of this agreement; and

Whereas, on the 13th of April, 1889, said Salt Lake Power, Light and Heating Company, petitioned said city to allow it to substitute said arc lights for street lighting as aforesaid in lieu of the said gas lamps over the same area, also to furnish the poles, wire, arc lamps and all other apparatus for the streets necessary to operate said electric lights at its own expense, provided the city would make a contract with said Salt Lake Power, Light and Heating Company to continue said lighting service (on account of the heavy outlay necessary), for a period of ten (10) years. Whereupon, the city council of said city, at its session of April 23, 1889, granted said petition.

In pursuance of which grant said Salt Lake Power, Light and Heating company, has built the necessary additional works, purchased and set up the necessary line of poles, set the wire, cross arms, and arc lamps, dynamos, and all the apparatus required for the successful operating and burning of said arc lights, has covered the area aforesaid with arc lamps which are now, and have been for some weeks, in successful operation, and has added such other lines of electric street lighting as have been ordered by said city, covering in all, at

the present time, an area of streets lighted thereby of about twenty-five per cent. more than the area formerly lighted by the gas lamps; said area being covered with fifty-five (55) arc lamps, which, with fifteen addition lamps already ordered, makes a total of seventy arc lamps.

Now, therefore, in consideration of the premises, and of the power of the city to contract for street lighting being limited by law to a term of three years, and in consideration of the sum of \$1 to each of the said parties thereto, it is hereby mutually agreed by and between said Salt Lake City and said Salt Lake Power, Light and Heating Company, that said city, within thirty days from the date hereof, will order the erection and running of thirty additional arc lamps, making one hundred arc lamps in all, which shall not be required to be over seven hundred and ninety-two feet apart, the distance heretofore adopted, and said Salt Lake Power, Light and Heating Company is hereby engaged to furnish, operate and run said one hundred arc lights for the full period of three years from and after January 1, 1890*, and said city agrees to pay said Salt Lake Power, Light and Heating Company, fifteen (\$15.00) dollars per month for each and every one of said arc lamps during the whole period of three years aforesaid, and in consideration of the premises, the said Salt Lake Power, Light and Heating Company promises and agrees with said city that it will erect and maintain the said arc lamps, as above provided, during the full period aforesaid, for the consideration and amount hereinbefore stated; said lights to be kept burning during the hours annually printed in the Philadelphia moon schedule for lighting streets, except on dark cloudy nights, when said lamps shall invariably be lighted at the usual hour for lighting in the dark of the moon.

In witness whereof, the said Salt Lake City has caused its corporate name to be hereunto attached by its mayor and its corporate seal to be hereunto affixed by its recorder, and the said Salt Lake Power, Light and Heating Company has caused its corporate name to be hereunto attached by its president, and its corporate seal to be hereunto affixed by its

*February 2, 1892, this contract was extended to January 1, 1895.

secretary, and the said Salt Lake City Gas Company has caused its corporate name to be hereunto attached by its president, and its corporate seal to be hereunto affixed by its secretary, this _____ day of _____, A. D. 1890.

Passed January 21, A. D. 1890.

AMERICAN NATURAL GAS COMPANY.

An Ordinance for the construction and maintenance of street mains and services for utilizing and distributing natural gas for fuel in the city of Salt Lake, Utah.

Section 1. Be it Ordained by the City Council of Salt Lake City, Utah: That the said city of Salt Lake hereby gives and grants the American Natural Gas Company, a corporation organized and existing under the laws of Utah Territory, and its assigns as hereinafter specified and provided, for the term of twenty years from and after the passage of this ordinance, the right and privilege of constructing, maintaining and operating pipe lines for distributing and utilizing of natural gas for heat and fuel only, in the city of Salt Lake; Provided, that the rates to be charged consumers for such natural gas shall not exceed the sum of forty cents per thousand cubic feet, as measured by standard gas meters, and for the purpose of furthering and assisting said American Natural Gas Company, and its assigns, in supplying said natural gas, the said American Natural Gas Company and its assigns are hereby granted and given the right and privilege to use any and all streets, avenues and alleys of Salt Lake City, in which to lay and maintain mains and service pipes for conveying and distributing said natural gas as aforesaid throughout said city; Provided, that all streets, avenues and alleys be speedily repaired and put in as good condition as they were before excavations were made.

And provided further, that in the construction, maintenance and operation of said mains and service pipes, the said grantee and its successors and assigns shall, at all times, con-

form to such ordinances, rules and regulations as may hereafter be adopted by the city council of said city, in relation thereto; provided further, that the right shall be, and hereby is reserved to the city council, at any time after four years from the date of this ordinance, to reduce the maximum price that said grantee, its successors or assigns, shall charge its consumers, to thirty cents per 1,000 feet.

Sec. 2. That Salt Lake City shall in no way be liable or responsible for any accident or damage that may occur in the construction or operation of said mains and service pipes by reason of the default or misconduct of said grantee, its successors and assigns, or its employes, and the acceptance of this grant shall be deemed an agreement on the part of said grantee for itself and successors and assigns to save the said city harmless from and against all liability, loss, costs, expenses, and damage of any nature arising out of any such default or misconduct, or which may accrue by reason of any accident or injury which may occur in or by reason of the construction or operation of said mains and service pipes, and to indemnify and repay said city for any loss, costs, expense or damage of any kind it may sustain by reason of any such default, misconduct, accident or injury, and if any judgment for damages for any such default, misconduct, accident or injury shall be recovered against the said city, the recovery thereof, and the judgment therefor shall be final as between the said city and said grantee and its successors and assigns, and conclusive as to the liabilities of the latter to the former; provided, said grantee has had notice of the pendency of the suit in which said judgment is recovered, and had been given an opportunity to defend the same.

Sec. 3. This grant shall be null and void if said American Natural Gas Company or its assigns shall fail within one year from date hereof to lay mains and pipes from their gas wells to the limits of Salt Lake City, or shall fail within eighteen months from date hereof to lay in the city of Salt Lake at least five miles of main pipe not less than five and five-eighths inches in diameter; or shall not be able, for a continuous period of

sixty days, at any time after eighteen months from date hereof, to furnish a sufficient quantity of natural gas to supply at least five hundred average families therewith for culinary and heating purposes. Provided, however, that any delay caused or time consumed by injunction, or any order of court, or any unavoidable accident or delay, or malicious interference, shall neither be counted nor work a forfeiture herein.

Sec. 4. Said American Natural Gas Company, or its assigns, shall use only the best and most approved system of pipe for their mains and services.

Sec. 5. This ordinance shall take effect from its passage.

Passed January 12, A. D. 1892.

NEW AMERICAN GAS AND FUEL COMPANY.

An Ordinance for the construction and maintenance of street mains and services for utilizing and distributing natural and manufactured fuel gas in the city of Salt Lake, Utah Territory.

Section 1. Be it ordained by the City Council of Salt Lake City, Utah: That the said city of Salt Lake hereby gives and grants to the New American Gas and Fuel Company, a corporation organized and existing under the laws of Utah Territory, and its assigns, as hereinafter specified and provided, for the term of twenty years from and after the passage of this ordinance, the right and privilege of constructing, maintaining and operating pipe lines for distributing and utilizing natural and manufactured fuel gas, for heat and fuel only, in the city of Salt Lake.

Provided, that the rates to be charged consumers for such natural gas shall not exceed the sum of thirty cents per one thousand cubic feet, as measured by standard gas meters; and for the purpose of furthering and assisting said New American Gas and Fuel Company, and its successors and assigns, in supplying said natural and fuel gas, the said New American Gas and Fuel Company, and its successors and assigns, are hereby

granted and given the right and privilege to use any and all streets, avenues and alleys of Salt Lake City in which to lay and maintain mains and service pipes for conveying and distributing said natural and fuel gas as aforesaid throughout said city.

Provided, that all streets, avenues and alleys be speedily repaired and put in as good condition as they were before such excavations were made; and

Provided further, that not more than one main pipe shall be laid in any one street without the expressed consent of the city council; and

Provided further, that in the construction, maintenance and operation of said mains and service pipes, the said grantee, and its successors and assigns, shall, at all times, conform to such ordinances, rules and regulations as may hereafter be adopted by the city council of said city in relation thereto.

Sec. 2. That Salt Lake City shall in no way be liable or responsible for any accident or damage that may occur in the construction or operation of said mains and service pipes, by reason of the default or misconduct of said grantee, its successors and assigns, or its or their employes, and the acceptance of this grant shall be deemed an agreement on the part of the said grantee for itself, and its successors and assigns, to save the said city harmless from and against all liability, loss, costs, expenses and damage of any nature arising out of any such default or misconduct, or which may accrue by reason of any accident or injury which may occur in or by reason of the construction or operation of said mains and service pipes, and to indemnify and repay said city for any loss, costs, expense or damage of any kind it may sustain by reason of any such default, misconduct, accident or injury; and if any judgment for damages for any such default, misconduct, accident or injury shall be recovered against said city, the recovery thereof and the judgment therefor shall be final as between the said city and said grantee, and its successors and assigns, and shall be conclusive as to the amount of damages and the liabilities of the latter to the former; Provided, said grantee has had notice of the pendency of the suit in which said judgment is recov-

ered, and had been given an opportunity to defend the same.

Sec. 3. This grant shall be null and void if said New American Gas and Fuel Company, or its successors and assigns, shall fail within one year from date hereof to lay mains and pipes from their gas wells to the intersection of East Temple street and South Temple street, in Salt Lake City, Territory of Utah, or shall fail within eighteen months from date hereof to lay in the city of Salt Lake at least five miles of main pipe not less than six inches in diameter; Provided, however, that any delay caused or time consumed by injunction or any order of court, or any unavoidable accident or delay or malicious interference, shall neither be counted nor work a forfeiture herein.

Sec. 4. Said New American Gas and Fuel Company, or its assigns, shall use only the best and most approved system and quality of pipe for their mains and services, such mains to be inspected and subject to the approval of the city engineer.

Sec. 5. The city council reserves and shall have the right to levy and collect from said company, in addition to the ordinary property taxes assessed upon its property, an annual royalty or tax not exceeding one (1) cent per thousand cubic feet upon all sales by said company, within the limits of said city, of fuel gas, either natural or manufactured. And for the purpose of enabling the city to make such assessments, said company will, at such stated periods as the city council may direct, make and file with the city recorder sworn statements of the amount of gas sold by it in said city.

Sec. 6. If, at any time, said company shall fail, neglect or refuse for a period of sixty days to comply with any provision of this franchise to be by it complied with, or shall fail, neglect or refuse for sixty days to comply with any regulation which may hereafter be lawfully imposed by the city council, this franchise and all rights under it shall, at the option of said city council, be forfeited, and the city shall at once, upon such forfeiture, have the right to require all pipes and other property of said company to be removed from its streets.

Sec. 7. The franchise herein granted shall not be operative unless said company shall, within ten days from the date

of its passage and approval, file with the city recorder its acceptance, in writing, of the terms hereof, and also file with said city recorder, in writing, a specific relinquishment of all other or former grants, franchises or privileges now held or claimed by it. And this franchise, if accepted by said company, shall operate as a revocation of all other grants, franchises or privileges now held or claimed by said company.

Sec. 8. This ordinance shall take effect from and after its passage and approval.

[Passed by the city council July 5, 1892, and referred to the mayor for approval. Referred to the mayor for approval July 5, 1892; returned by the mayor with his disapproval July 9, 1892; presented to the city council July 12, 1892, and passed, notwithstanding the objections of the mayor thereto, by a vote of 11 yeas and 2 nays.]

SALT LAKE & OGDEN GAS & ELECTRIC LIGHT COMPANY.

A resolution granting certain privileges and franchises to the Salt Lake & Ogden Gas & Electric Light Company, the successor and assignee of the Salt Lake City Gas Company and the Salt Lake Power, Light and Heating Company, corporations heretofore existing in the city of Salt Lake.

Section 1. Be it resolved by the city council of Salt Lake City: That the Salt Lake & Ogden Gas & Electric Light Company, a corporation existing under the laws of the Territory of Utah, its successors and assigns, have the authority and consent of the said council, and the permission is hereby granted it to use and occupy the streets, lanes, alleys and public places of Salt Lake City, for the purpose of conveying gas and electrical currents by means of suitable pipes or conduits laid or to be laid below the surface of the ground, or by means of wires or conductors placed above said streets, to be used for electrical lighting, and also pipes to be laid below the surface

of the ground for the conveyance of steam for heating, furnishing power and other purposes, to the inhabitants, property owners and users in said city, for the term of twenty-five years from and after the passage of this resolution.

Sec. 2. That the said company, its successors and assigns, during said term be and hereby are vested with the right and privilege of entering upon the streets, lanes and alleys of said city for the following purposes:

(a) The opening of said streets, alleys, lanes and public places for the purpose of laying gas mains, electrical conduits, or pipes for steam purposes.

(b) The privilege of erecting and maintaining in the streets, lanes and alleys of said city, poles, and attaching thereto and extending and maintaining thereon wires or conductors for the purpose of transmitting electrical currents within the limits of said city, to the inhabitants thereof.

Sec. 3. The said Salt Lake & Ogden Gas & Electric Light Company shall file with the city engineer a plat showing the streets, lanes, alleys and public places of said city where the said company proposes or may hereafter locate gas pipes and electrical conduits, or pipes for steam purposes; and the said company shall have the right to open trenches for the purpose of laying said mains and conduits and for the purpose of maintaining them in good repair. The said company to have access to all such main gas pipes or conduits as may be necessary from time to time; and no railroad track or other like obstruction shall be laid over said gas mains conduits or steam pipes, or nearer than one foot in the clear laterally, from the bell joint of such gas mains, electrical conduits or said steam pipes, except in crossing the same.

That the said company shall only lay lateral pipes on sides of streets and shall not in any way or manner interfere with the water pipes or sewer pipes of this city, or any other pipes that have been laid in the streets of said city; and they shall at all times conform to all ordinances passed governing franchises and regulating the same from time to time that are passed by the city council regulating the laying of pipes in this city.

Sec. 4. All streets, lanes, alleys and public places that may be opened by the said company for the aforesaid purposes, shall be filled in and put in as good repair as they were prior to the opening of such trenches, so as not to unnecessarily obstruct the free passage over the streets for a longer time than may be necessary. The use of streets for such purposes shall be controlled and governed by the ordinances of said city, and all pipes, conduits and poles shall be laid and placed at such points and places as shall be designated by the city engineer and none other; and under the supervision of said city engineer and the board of public works, and to their approval.

Sec. 5. The said Salt Lake & Ogden Gas & Electric Light Company, its successors and assigns, shall be responsible for any damage to person or property resulting from any act or negligence on its part which may accrue by reason of the exercise of any of the privileges herein.

Sec. 6. The Salt Lake & Ogden Gas & Electric Light Company, during the period aforesaid, shall, by its acceptance of the privileges herein granted, agree with said city that it will furnish to general commercial users in said city, electric light and gas service (manufactured, water or natural gas), of the best quality and highest efficiency, at prices which will not exceed the following rates, to-wit:

First.—2,000 candle power arc light, all night service, \$15.00 per month per lamp.

Second.—Same light for midnight service, \$10.00 per lamp per month.

Third.—Same light for 10 o'clock service not more than \$8.00 per lamp per month.

Fourth.—For electrical energy used, one cent per ampere hour, computed on the basis of 50 volts, or 20 cents for 1,000 watt hours.

Provided, any consumer of electrical energy shall be liable to the company, and the company is hereby authorized to charge and collect from such consumer, at least \$1.50 per month for such electrical energy.

Fifth.—Manufactured gas used for illuminating purposes, \$2.20 per 1,000 cubic feet.

Sixth.—Water gas, or manufactured gas, used for fuel purposes, \$1.50 per 1,000 cubic feet.

Seventh.—If natural gas is furnished, prices shall not exceed 50 cents for 1,000 cubic feet.

Provided, that any consumer of manufactured, water or natural gas, shall be liable to the company, and the company is hereby authorized to charge and collect from such consumer at least \$1.00 per month for such manufactured, water or natural gas.

And the said city and all hospitals and institutions used for charitable or other religious purposes, shall have the benefit of the discount of ten per cent from the above prices.

Said lights and gas and all meters used in connection therewith shall be subject from time to time, to the inspection of the proper officer, appointed by said city, to determine the quality of said light and gas.

Sec. 7. Unless a written acceptance of this resolution with the conditions, restrictions and limitations therein contained, is filed by the Salt Lake & Ogden Gas & Electric Light Company, with the city recorder of Salt Lake City, within ten days from the date of the passage thereof, this resolution and the franchises hereby granted shall be void and of no effect.

Sec. 8. And all rights and privileges heretofore granted to the Salt Lake City Gas Company and the Salt Lake Power, Light and Heating Company be relinquished on the acceptance of this franchise.

Sec. 9. Nothing in this resolution shall be so construed as to prevent said city at any time hereafter from changing the manner or place of setting poles, stringing wires, or from requiring said company, its successors or assigns, to place all wires or conductors under ground.

Effective May 20, 1893.

- A Resolution repealing Sections 6 and 7 of "A resolution granting certain privileges and franchises to the Salt Lake and Ogden Gas and Electric Light Company," passed by the City Council of Salt Lake City, Utah, May 19th, 1893, and enacting two new sections in lieu thereof.

Resolved by the city council of Salt Lake City: That Sections 6 and 7 of a resolution granting certain privileges and franchises to the Salt Lake and Ogden Gas and Electric Light company, a corporation, which was passed by the city council May 19th, 1893, be and the same are hereby repealed and the following new sections are hereby enacted in lieu thereof, to be known as Sections 6 and 7.

Sec. 6. The Salt Lake and Ogden Gas and Electric Light Company during the period aforesaid shall by its acceptance of the privileges herein granted, agree with said city that it will furnish to general commercial users in said city electric light and gas service of the best quality and highest efficiency, at prices which will not exceed the following rates, to wit:

1. 2,000 c. p. arc lights, all night service, \$15.00 per lamp per month.

2. Same light for midnight service \$10.00 per lamp per month.

3. 16 c. p. incandescent lights, one cent per lamp per Ampere hour, and a proportionate charge for incandescent lamps of increased candle power; but if any consumer uses less than 100 Ampere hours in any one calendar month, then and in that event, the grantee is hereby authorized to charge a minimum rate of \$1.00 per month.

4. Manufactured gas used for illuminating purposes, \$2.20 per one thousand cubic feet.

5. Same for fuel purposes, \$1.50 per one thousand cubic feet.

6. Water gas \$1.50 per one thousand cubic feet.

7. Natural gas, 50 cents per one thousand cubic feet; but when a less amount of natural gas than 2,000 cubic feet is used by a consumer in any one calendar month, the grantee is

hereby authorized to charge and collect from said consumer for said month the sum of \$1.00 and no more.

Said lights and gas and all meters used in connection therewith shall be subject from time to time to the inspection of a proper officer, appointed by said city to determine the quality of said light and gas.

Sec. 7. A written acceptance of this franchise by the grantee, subject to all the conditions herein contained, must be filed with the city recorder within ten days from the date of the approval hereof by the mayor; and a wilful failure at any time to comply with all the terms and conditions thereof shall work an absolute forfeiture of all the rights and privileges herein granted.

Effective December 29, 1897.

A Resolution repealing sections 6 and 7 of "A Resolution granting certain privileges and franchises to the Salt Lake & Ogden Gas & Electric Light Company," passed by the city council of Salt Lake City, Utah, May 19th, 1893, and enacting two new sections in lieu thereof.

Resolved, by the city council of Salt Lake City, that sections 6 and 7, of a resolution granting certain privileges and franchises to the Salt Lake & Ogden Gas & Electric Light company, a corporation, which was passed by the city council May 19th, 1893, be, and the same are hereby repealed, and the following new sections are hereby enacted in lieu thereof, to be known as sections 6 and 7.

Sec. 6. The Salt Lake & Ogden Gas & Electric Light company, during the period aforesaid, shall, by its acceptance of the privileges herein granted, agree with said city that it will furnish to general commercial users in said city, electric light and gas service (manufactured, water or natural gas), of the best quality and highest efficiency, at prices which will not exceed the following rates, to-wit:

First.—2,000 candle power arc light, all night service, \$15.00 per month per lamp.

Second.—Same light for midnight service, \$10.00 per lamp per month.

Third.—Same light for 10 o'clock service not more than \$8.00 per lamp per month.

Fourth.—For electrical energy used, one cent per ampere hour, computed on the basis of 50 volts, or 20 cents for 1,000 watt hours.

Provided, any consumer of electrical energy shall be liable to the company, and the company is hereby authorized to charge and collect from such consumer, at least \$1.50 per month for such electrical energy.

Fifth.—Manufactured gas used for illuminating purposes, \$2.20 per 1,000 cubic feet.

Sixth.—Water gas, or manufactured gas, used for fuel purposes, \$1.50 per 1,000 cubic feet.

Seventh.—If natural gas is furnished prices shall not exceed 50 cents for 1,000 cubic feet.

Provided, that any consumer of manufactured, water or natural gas, shall be liable to the company, and the company is hereby authorized to charge and collect from such consumer at least \$1.00 per month for such manufactured, water or natural gas.

And the said city and all hospitals and institutions used for charitable or other religious purposes, shall have the benefit of the discount of ten per cent from the above prices.

Said lights and gas and all meters used in connection therewith shall be subject from time to time, to the inspection of the proper officer, appointed by said city, to determine the quality of said light and gas.

Sec. 7. Unless a written acceptance of this resolution with the conditions, restrictions and limitations therein contained, is filed by the Salt Lake & Ogden Gas & Electric Light company, with the city recorder of Salt Lake City, within ten days from the date of the passage thereof, this resolution and the franchises hereby granted shall be void and of no effect.

Effective March 10, 1898.

ROBERT M. JONES.**A Resolution, granting certain privileges and franchises to Robert M. Jones, his heirs and assigns.**

Section 1. Be it resolved by the city council of Salt Lake City; That Robert M. Jones, his heirs and assigns, have the authority and consent of the city council, and the permission is hereby granted to him, his heirs and assigns, to use and occupy the streets, lanes, alleys and public places of Salt Lake City, for the purpose of conveying electrical currents, by means of suitable poles and wires above the surface of the ground, or by means of suitable pipes or conduits to be laid below the surface of the ground, for the transmission of electrical currents for furnishing power, light and heat to the inhabitants, property owners, manufacturers and users in said city, for the term of twenty-five (25) years from and after the passage of this resolution.

Sec. 2. That the said Robert M. Jones, his heirs and assigns, during said term be, and hereby are, vested with the right and privilege of entering upon the streets, lanes, alleys and public places of said city for the following purposes:

First, For the right and privilege of erecting and maintaining in the streets, lanes, alleys and public places of said city poles, and attaching thereto and extending thereon wires and other conductors, for the purpose of transmitting electrical currents within the limits of said city for power, lighting and heating and other purposes to the inhabitants thereof.

Second. The right and privilege of opening said streets, lanes, alleys and public places for the purpose of laying conduits underground, for the purpose of transmitting electrical currents for power, lighting, heating and other purposes, to the inhabitants of said city.

Sec. 3. The said Robert M. Jones shall, at least thirty days prior to the commencement of the erection of poles and wires or the laying of conduits within the limits of Salt Lake City, file with the city engineer a plat showing the streets,

lanes, alleys and public places of said city where he proposes to locate lines of poles and wires or conduits, which plat shall be subject to the approval of the city council, and be so approved before any work shall be done in any street in pursuance hereof.

Sec. 4. All streets, lanes, alleys and public places that may be opened by the said Robert M. Jones, his heirs and assigns, for the aforesaid purposes, shall be filled in and put in as good repair as they were prior to the opening of the same, and within a reasonable time, so as not to unnecessarily obstruct the free passage over the streets more than may be necessary. The opening of streets and the erection of poles for such purposes shall be controlled and governed by the ordinances of said city. Any removal of pavement for the erection of poles and wires, or for the laying of conduits, shall be repaired by the said Robert M. Jones, his heirs and assigns, to the satisfaction of the city engineer and board of public works of said city.

Sec. 5. The said Robert M. Jones, his heirs and assigns, shall have the right to open trenches for the purpose of laying said conduits and for the purpose of maintaining them in good repair, and shall have access to all of such conduits as may be necessary from time to time.

Sec. 6. The said Robert M. Jones, his heirs and assigns, shall be responsible for any damage to person or property resulting from any act of negligence on his or their part, should the same occur by any reason of the exercise of any privilege herein granted. Any damage that may be occasioned to any sewer or waterpipe by said Robert M. Jones, his heirs or assigns, in placing any of said pipes or conduits mentioned in this resolution underground, or in repairing the same, shall be repaired and such pipes restored to as good condition as before being damaged by the said Robert M. Jones, and at his own expense.

Sec. 7. The said Robert M. Jones, his heirs and assigns, during the period aforesaid shall, and by his acceptance of the privileges hereby granted, agrees, with the said city to furnish electric lights to the citizens of said city, through standard types of incandescent lamps, at a price not to exceed one cent

per hour for each sixteen candle power lamp, and a proportionate charge for lamps of increased candle power, and for arc lights of two thousand candle power, at a price not to exceed ten (\$10) dollars per month for twelve o'clock service, and fifteen (\$15) dollars for all night service.

Further; to furnish lighting for the streets, highways and public places, for the city in any desired number, at a price not to exceed ten (\$10) dollars per month for each two thousand candle power lamp for all night service, each night in the week.

Further, to supply the city council rooms, city officers and public library with their necessary current for lamps from the time the station started continuously during the life of the franchise, free of charge.

Sec. 8. That Robert M. Jones, his heirs or assigns, shall not dispose of the privileges granted in this franchise to any competing company or person, nor shall said Robert M. Jones, his heirs or assigns, enter into any combination with any electric light, gas or power company, concerning prices to be charged for furnishing light, heat, power or signals, either to the city or private consumers, otherwise this franchise shall become void.

Sec. 9. Unless a written acceptance of this resolution, with the conditions restrictions and limitations therein contained, is filed by the said Robert M. Jones, his heirs and assigns, with the city recorder of Salt Lake City, within fifteen days from the date of the approval of this resolution, the franchise hereby granted shall be void and of no effect. That the said Robert M. Jones, in accepting this franchise, agrees to construct the most practical device for consuming or arresting the smoke in all instances wherein coal is used for fuel by the said Robert M. Jones, his heirs and assigns.

Sec. 10. Said city reserves the right, as a consideration for the granting of this franchise, to levy a special tax, in addition to the ordinary property tax, upon each pole erected in any street, alley or public ground in said city, of such sum per annum as the council may deem reasonable.

Sec. 11. That nothing in this resolution shall be construed so as to prevent said city hereafter from changing the

manner or place of setting poles, stringing wires, or from requiring said Robert M. Jones, his heirs and assigns, to place all wires or conductors underground.

Sec. 12. That said Robert M. Jones, his heirs and assigns, to have access to all such main pipes or conduits as may be necessary from time to time, and no such main pipes or conduits shall be laid over or nearer than one foot in the clear from any sewer or waterpipe, except in crossing the same. All pipes, conduits and poles shall be laid and placed at such points and places as shall be designated by the city engineer, and provided further, that said poles shall be set and the wires suspended thereon under the direction of said council, or some person appointed by it.

Sec. 13. That said Robert M. Jones, his heirs or assigns, shall deliver in the city electrical power equal to one thousand horse power by October 1, 1894.

Sec. 14. That in case Robert M. Jones, his heirs and assigns shall fail or refuse to carry out any of the conditions of this resolution to be kept and performed by him, and within the time specified, this resolution shall become null and void and of no effect.

Sec. 15. This ordinance shall take effect from and after its publication.

Effective July 30, 1893.

A Resolution—Granting an extension of time to the Big Cottonwood Power company, in which to comply with certain conditions of a franchise granted to R. M. Jones, July 25th, 1893, and transferred and assigned by him to the Big Cottonwood Power company, December 2nd, 1893.

Section 1. Be it resolved by the city council of Salt Lake City, that the Big Cottonwood Power company, a corporation organized and doing business under the laws of Utah territory, its successors or assigns, be and that the same are hereby granted an extension of time in which to comply with the con-

ditions contained in section 13, of said franchise, and that such extension of time shall be, to-wit, one year from the first day of October, 1894, or until the first day of October, 1895.

Sec. 2. That in consideration of the above extension of time so granted, the Big Cottonwood Power company, its successors or assigns, agrees to furnish the said city without compensation therefor in addition to the current provided for in section 7, of the franchise above referred to, all the current required for use in lighting the grounds surrounding the city and county building, or such part of the same as would be a charge against the said city.

Sec. 3. That unless the written acceptance of this resolution, with the conditions, restrictions and limitations therein contained, is filed by the president of the company within fifteen days of the approval of this resolution, the rights herein granted shall be void and of no effect.

Effective September 29, 1894.

S. F. WALKER.

An Ordinance; granting a franchise to S. F. Walker, his heirs and assigns.

Be it ordained by the city council of Salt Lake City, Territory of Utah:

Section 1. That S. F. Walker, his heirs and assigns, have the authority and consent of the city council of said city, and the permission is hereby granted to him, his heirs and assigns, to use and occupy the streets, lanes, alleys and public places of said city for the right and privilege of conveying gas and electrical currents by means of suitable pipes or conduits to be laid below the surface of the ground, or by means of wires or conductors placed above said streets to be used for electrical lighting and the furnishing of power, and also by means of pipes laid below the surface of the ground for conveying steam for heating, furnishing power and other purposes to the inhab-

itants, property-owners and users in said city for the term of twenty-five (25) years from and after the date of the passage of this ordinance.

Sec. 2. That said S. F. Walker, his heirs and assigns, during said term be, and they are hereby vested with the right and privilege of entering upon the streets, lanes, alleys and public places of said city for the following purposes, viz:

First—The opening of said streets, lanes, alleys and public places for the purpose of laying gas mains, electrical conduits or pipes for steam purposes.

Second—The privilege of erecting and maintaining in the streets, lanes, alleys and public places of said city poles and attaching thereto and maintaining thereon wires and conductors for the purpose of transmitting electrical currents within the limits of the said city to the inhabitants thereof.

Sec. 3. That said S. F. Walker, his heirs and assigns, shall file with the city engineer a plat showing the streets, lanes, alleys and public places where it is proposed to locate gas or steam pipes and electrical conduits and erect poles. And the said grantee, his heirs and assigns, shall have the right to open trenches for the purpose of laying said mains, pipes and conduits, and that no pipes or conduits shall be laid nearer than two feet from any water main or sewer pipe, except in crossing the same; and for the purpose of maintaining them in good repair, the said grantee, his heirs and assigns, to have access to all such mains, gas or steam pipes or conduits as may be necessary from time to time.

Sec. 4. All streets, lanes, alleys and public places that may be opened by said grantee, his successors and assigns, for the aforesaid purposes shall be filled in and put in as good repair and order as they were before being opened, and within a reasonable time, so as not to unnecessarily obstruct the free passage over the streets. That the opening of streets and the erection of poles for such purposes, shall be controlled and governed entirely by the ordinances of said city, and all pipes, conduits and poles shall be laid and placed at such points and places as shall be designated by the city engineer and none other, and under the supervision of said city engineer and the

supervisor of streets, and to their approval. All excavations made for the erection of poles or the laying of gas or steam mains or conduits shall be repaired by the said grantee, his heirs and assigns, at their own expense to the satisfaction of the city engineer.

Sec. 5. That said S. F. Walker, his heirs and assigns, shall be responsible for any damage to person or property resulting from any act or negligence on their part which may accrue by reason of the exercise of any of the privileges herein granted. Any damage that may be occasioned to any sewer or water pipe by said grantee, his heirs or assigns, in placing any of said poles, conduits or pipes mentioned in this grant, or the repairing of the same, shall be repaired and such pipes restored in as good condition as before being damaged by the said grantee at his own expense.

Sec. 6. The grantee, his heirs and assigns, during the period aforesaid, shall, and by the acceptance of the rights and privileges herein granted, does agree with the said city that he, his heirs or assigns, shall charge for manufactured gas under this franchise a price not exceeding two (\$2) dollars per thousand cubic feet, and for natural gas a price not exceeding thirty (30) cents per thousand cubic feet, and for electric light a price not exceeding one (1) cent per hour for each sixteen candle power lamp, and a proportionate charge for all lamps of increased candle power, and for arc lights of two thousand candle power a price not exceeding ten (\$10) dollars per month for twelve o'clock service and fifteen (\$15) dollars per month for all-night service.

And further: After he or his assigns shall have constructed and put in operation the plant necessary therefor, to furnish for the streets, highways and public places of said city in any desired number electric lights at a price not exceeding ten (\$10) dollars per month for each arc light of two thousand candle power for all night service each night in the week, and to furnish the city council chamber, city offices, fire station and public library with the necessary current for light continuously during the life of his franchise free of charge.

Sec. 7. Said city reserves the right as a consideration for

the granting of this franchise to levy a special tax in addition to the ordinary property tax upon each pole erected in any street, alley or public ground in said city of such sum per annum as the council may deem reasonable; providing such special tax be uniform upon said grantee, his heirs or assigns, and all other persons or corporations using the streets or alleys of said city in a similar manner or for a similar purpose.

Sec. 8. That nothing in this resolution shall be construed so as to prevent said city hereafter from changing the manner or place of setting poles or stringing wires, or from requiring said S. F. Walker, his heirs and assigns, to place all wires or conductors under ground.

Sec. 9. Unless a written acceptance of this franchise with the terms and conditions herein contained is filed with the recorder of said city within twenty (20) days after the date of the passage and approval of this franchise, and unless work shall have been begun within one year after said date, the same is to become null and void.

Sec. 10. This franchise to take effect and be in full force from and after its passage and approval.

Effective December 22, 1893.

An Ordinance for the construction and maintenance of street mains and services for utilizing and distributing natural and manufactured fuel gas in the city of Salt Lake, Utah Territory.

Section 1. Be it ordained by the city council of Salt Lake City, Utah, that the said city of Salt Lake hereby gives and grants to the New American Gas and Fuel company, a corporation organized and existing under the laws of Utah Territory, and its assigns, as hereinafter specified and provided, for the term of twenty years from and after the passage of this ordinance, the right and privilege of constructing, maintaining and operating pipe lines for distributing and utilizing natural

and manufactured gas in the city of Salt Lake; and for sale to consumers generally.

Provided, that the rates to be charged consumers for such natural gas shall not exceed the sum of fifty cents per one thousand cubic feet, as measured by the standard gas meters, for the term of two years after this bill shall become an ordinance, and after the expiration of said two years, such price per one thousand cubic feet may be reduced by the city council to a sum not less than thirty cents, and the rate to be charged for such manufactured gas, so measured, shall not exceed one dollar and twenty-five cents per one thousand cubic feet; and for the purpose of furthering and assisting said New American Gas and Fuel company, and its successors and assigns, in supplying said natural and fuel gas, the said New American Gas and Fuel company, and its successors and assigns, are hereby granted and given the right and privilege to use any and all streets, avenues and alleys of Salt Lake City, under the supervision of the city engineer, in which to lay and maintain mains and service pipes for conveying and distributing said natural and fuel gas as aforesaid throughout said city;

And provided, that all streets, avenues and alleys so used be speedily repaired and put in as good condition by said company, and to the satisfaction of the city engineer and board of public works of said city, as they were before said excavations were made;

And provided further, that in the construction, maintenance and operation of said mains and service pipes, the said grantee, and its successors and assigns, shall lay pipe lines on both sides of the streets where gas is used, and shall not cross the streets by its service pipes, except by permission of the city council; and the city engineer shall designate the location of such pipes, and the city council reserve the right to and may require the company, its successors and assigns, to change the location of its pipes or mains as occasion may require; and said company, its successors and assigns, shall at all times conform to such ordinances, rules and regulations as are now in force or may hereafter be adopted by the city council of said city in relation thereto.

Sec. 2. That Salt Lake City shall in no way be liable or responsible for any accident or damage that may occur in the construction or operation of said mains and service pipes, by reason of the default or misconduct of said grantee, its successors and assigns or its or their employes, and the acceptance of this grant shall be deemed an agreement on the part of the said grantee for itself and its successors and assigns to save the said city harmless from and against all liability, loss, costs, expenses and damage of any nature arising out of such default or misconduct, or which may accrue by reason of any accident or injury which may occur in or by reason of the construction or operation of said mains and service pipes, and to indemnify and repay said city for any loss, costs, expense or damage of any kind it may sustain by reason of such default, misconduct, accident or injury; and if any judgment for damages for any such default, misconduct, accident or injury shall be recovered against said city, the recovery thereof and the judgment therefor shall be final as between the said city and said grantee and its successors and assigns, and shall be conclusive as to the amount of damages, and the liabilities of the latter to the former; Provided, said grantee has had notice of the pendency of the suit in which said judgment is recovered, and had been given an opportunity to defend the same.

Sec. 3. This grant shall be null and void if said New American Gas and Fuel company, or its successors and assigns shall fail within five months from the passage of this bill into an ordinance to lay or cause to be laid mains and pipes from their gas wells to East Temple street in Salt Lake City, Territory of Utah, pipe not less than six inches in diameter; Provided, however, that any delay caused or time consumed by injunction or any order of court, or any unavoidable accident or delay, shall neither be counted nor work a forfeiture herein.

Sec. 4. Said New American Gas and Fuel company or its assigns shall use only the best and most approved system and quality of pipe for their mains and services, such mains to be inspected and subject to the approval of the city engineer.

Sec. 5. If at any time, said company upon notice from the city council shall fail, neglect or refuse for a period of sixty

days to comply with any provision of this franchise to be by it complied with, or shall fail, neglect or refuse for sixty days to comply with any regulation which may hereafter be lawfully imposed by the city council, this franchise and all rights under it shall, at the option of the city council, be forfeited, and the city shall at once upon such forfeiture have the right to require all pipes and other property of said company to be removed from its streets by said company.

Sec. 6. The franchise herein granted shall not be operative unless said company shall, within ten days from the date of its passage and approval, file with the city recorder its acceptance in writing of the terms hereof.

Effective November 22nd, 1894.

An ordinance authorizing the Utah Power company to erect and maintain poles, wires and other necessary appliances in Salt Lake City for the distribution and sale of electrical energy.

Be it ordained by the city council of Salt Lake City:

Section 1. That permission and authority be and are hereby granted to the Utah Power company, a Utah corporation, its successors and assigns, hereinafter called the grantee, for the period of twenty-five years from and after the approval of this ordinance, to construct, erect and maintain a single line of poles in the streets, lanes and alleys of Salt Lake City, with the necessary wires and other proper appliances attached thereto, for the distribution of electric currents throughout said city, to be used by the inhabitants thereof, for light, heat, power and other industrial and commercial purposes, subject to the following conditions, viz:

First—That the permission and authority hereby granted is subject to all laws, ordinances and resolutions now in force in Salt Lake City, or which may hereafter be passed by the state legislature or the city council, authorizing the fixing of rates to be charged for electricity used in said city for light, heat, power, or other industrial or commercial purposes, and

is also subject to such laws of the state and ordinances and resolutions of the city council which are now in force, or may hereafter be passed, governing the construction, erection and maintenance of poles, wires, conduits, or other erections or appliances now in use or to be hereafter used for the transmission and distribution of electricity in said city. All poles erected under this franchise shall measure 40 feet in length, 14 inches at the butt, 10 inches at the top, except in special cases wherein the city council may order the erection of larger or smaller poles; said poles shall be set as near as may be 132 feet apart, and not less than 5 feet in the ground. At street intersections they shall be set as near the center thereof as practicable. All said poles and their cross-arms shall be properly dressed and painted, and all work done thereon or in connection therewith shall be done and performed under the supervision of and to the satisfaction of the city engineer, or such other officer or department as may be hereafter designated for that purpose, by the city council.

Second—The said grantee, as part of the consideration for this franchise, agrees to and with said Salt Lake City that upon receiving from said city four months' previous notice, to be served upon it by the city recorder, at any time during the year 1897, it will at once erect and thereafter maintain in the streets of said city, at its own expense, a sufficient number of poles with the necessary cross-arms to admit of lighting the city with 400 arc lamps, said lamps to be placed at the intersection of, or other locations on the streets, lanes, and alleys of said city, as the city council may direct; and said grantee shall provide said city with one crossarm upon each of said poles, sufficient for the proper accommodation of stringing and supporting such wires, lamps and other necessary appliances, as may be owned and used by it for municipal lighting, and to which it shall at all times have access for maintenance and repairs; and no rental or other charge shall be made by the said grantee for the use of said poles and cross-arms by said city during the life of this franchise.

Third—That as a further consideration for this franchise, said grantee shall upon five months' previous notice, to be

served upon it as aforesaid at any time during the year 1897, furnish to said city immediately upon the expiration of said five months notice and for the term of three years thereafter, the equivalent of 300 horse power in electrical energy, or so much thereof as said city may deem necessary to be used for municipal lighting; said energy shall be in such form as may be by said city determined most suitable for that purpose, and shall be supplied continuously and regularly every night in the year between the hours of sunset and sunrise, and shall be delivered to the conductors of the city street lighting system within one block of the city and county building in said city, or such other place as may be agreed upon and shall be there measured, and afterwards paid for monthly by said city at the stipulated price of \$25 per annum, for each electrical horse power delivered as aforesaid during the previous month. And at any time within thirty days before the expiration of said three years' contract provided for in this condition, said city shall have the option to renew the same with said grantee for an additional period of from one to three years, at the price stipulated herein or for any lower rate at which said grantee may then be selling electrical energy in quantities of 300 horse power or less in Salt Lake City, and said contract may be renewed by said city as aforesaid upon like terms and conditions at the end of each contract period during the life of this franchise.

Fourth—That said grantee shall permit any other electric light, telegraph, telephone, or power company to string wires upon its said poles, under such reasonable regulations and compensation therefor as may be fixed and adopted by the city council, and shall render the service it is hereby authorized to supply, by the best available methods and practice known to the science of applied electricity, and such as will secure the least danger to life and property, compatible with the best obtainable service; and said service must be supplied on equal terms under like conditions, to every commercial user.

Fifth—That said grantee shall execute to Salt Lake City a bond in the penal sum of fifty thousand dollars (\$50,000.00), to be approved by the city council, conditioned that said grantee shall and will forever indemnify and save harmless said

Salt Lake City against and from any and all damages, judgments, decrees, costs and expenses which said city may suffer or which may be recovered or obtained against it for or by reason of, or growing out of, or resulting from any act or acts of the said grantee under or by virtue of the privileges herein granted. Provided, however, that the said bond shall not be construed to limit the liability of said company to fifty thousand dollars (\$50,000.00) but the said grantee shall be liable to the full extent of every liability imposed by this condition, notwithstanding the amount thereof may exceed fifty thousand dollars (\$50,000.00). And it is hereby further provided that upon the recovery of any final judgment or judgments against said city as aforesaid, the said grantee shall immediately and without prior payment of such judgment or judgments against said city, as aforesaid, be liable to pay and shall pay the amount or amounts thereof to the said city; and the fact that the said city may not have paid the same shall constitute no defense on part of said grantee to the payment thereof to said city.

Sixth—That if said grantee shall fail or refuse after fifteen days' notice in writing from the city recorder, to keep and perform any of the conditions hereof, to be by it kept and performed, this ordinance may thereupon be revoked by the city council.

Seventh—That unless a written acceptance of this franchise by the grantee, subject to all the conditions therein contained, be filed with the city recorder within twenty days from the date of the approval hereof by the mayor, this ordinance shall be null and void.

Effective December 26, 1896.

PIONEER ELECTRIC POWER COMPANY.

An ordinance authorizing the Pioneer Electric Power company to erect and maintain poles, wires, pipes, conduits and other appliances in the streets, lanes, and alleys of Salt Lake City, for the distribution and conveyance of electrical energy and gas; to supply the inhabitants of said city with light, heat and power.

Be it ordained by the city council of Salt Lake City :

Section 1. That permission and authority be and are hereby granted to the Pioneer Electric Power company, a Utah corporation, its successors and assigns, hereinafter called the grantee, for the period of twenty-five years from and after the approval of this ordinance, to construct, erect and maintain a single line of poles in the streets, lanes and alleys of Salt Lake City, with the necessary wires and other proper appliances thereto attached, and also to lay pipes and conduits therein for the distribution and conveyance of electricity and gas throughout said city, to be used by the inhabitants thereof, for light, heat, power and other industrial and commercial purposes, subject to the following conditions, viz. :

First—That the permission and authority hereby granted is subject to all laws, ordinances and resolutions now in force in Salt Lake City, or which may hereafter be passed by the state legislature or the city council, authorizing the fixing of rates to be charged for electricity, gas, and meters used therein for light, heat, power, or other industrial or commercial purposes, and is also subject to such laws of the state and ordinances and resolutions of the city council which are now in force, or may hereafter be passed governing the construction, erection and maintenance of poles, wires, pipes, conduits or other erections or appliances now in use, or to be hereafter used for the transmission and distribution of electricity and gas in said city. All poles erected under this franchise shall, as near as may be, measure thirty-five feet in length, twelve inches at the butt, and eight inches at the top, except in special cases

wherein the city council may order the erection of larger or smaller poles; said poles shall be set, as near as may be, 132 feet apart, and not less than five feet in the ground. All said poles and their cross-arms shall be properly dressed and painted; all work done thereon or in connection therewith, and upon all wires, pipes and conduits, shall be done and performed under the supervision of and to the satisfaction of the city engineer or such other officer or department as may be hereafter designated for that purpose by the city council and said grantee shall provide said city with one cross-arm upon each of said poles, sufficient for the proper accommodation of stringing and supporting such wires, lamps and other necessary appliances as may be owned and used by it for municipal lighting, and to which it shall at all times have access for maintenance and repairs, and no rental or other charge shall be made by said grantee for the use of said poles and cross-arms by said city during the life of this franchise.

Second—The said grantee, as part of the consideration for this franchise, agrees to and with said Salt Lake City that on or before September 1st, 1897, it will furnish and deliver to said city corporation at its own expense, without cost to the city, and during the life of this franchise, the equivalent of thirty horse-power in electrical energy, to be used for any municipal purpose the city council may deem necessary. Said energy shall be in such form as may be by said city determined most suitable for its purposes, whether for light, heat or power. Provided it be used for only one such purpose at the same time, to-wit, either light, heat or power.

It shall be supplied continuously and regularly all night and all day during every day and night in the year, and shall be delivered at the distributing station of the grantee in said Salt Lake City; and the city shall have the free use of the poles of said company for stringing wires to deliver said energy to any place it may desire to use it for municipal purposes, and said grantee shall furnish any additional electrical energy which said city may desire for such purposes during the life of this franchise at a price not to exceed one and one-quarter cents per kilowatt hour delivered at the place of consumption.

Third—That as a further condition for this franchise said grantee hereby agrees to and with said city, that it will furnish for municipal street lighting purposes, whenever desired by the city, during the life of this franchise, two thousand candle power arc lights all night service at a price not to exceed \$7.00 per lamp per month; two thousand candle power arc lights all night service for commercial purposes, at a price not to exceed \$15.00 per lamp per month; two thousand candle power arc lights midnight service for commercial purposes, at a price not to exceed \$10.00 per lamp per month; and the maximum price to be charged for standard type sixteen candle power incandescent lights for any service, public or private, shall not exceed one cent per lamp per ampere hour, and a proportionate charge for incandescent lamps of increased candle power. The price for lighting any and all municipal buildings, whether owned or leased by the city, and for churches, public hospitals, and for the public schools of said city, shall not exceed one-half the minimum rate charged for commercial purposes.

Said grantee also agrees to sell manufactured or artificial gas, which shall be of the best quality and highest efficiency:

For illuminating purpose, at a price not exceeding \$1.50 per one thousand cubic feet.

For fuel purposes, at a price not exceeding \$1.00 per one thousand cubic feet.

But if said grantee fails to lay five miles of gas mains within said city for the distribution and sale of gas within four years from and after the approval of this ordinance, so much thereof as permits the laying of pipes and conduits for that purpose, shall at the expiration of said four years become null and void.

And at any time after the commencement of laying pipes for the distribution of gas under its franchise, said grantee shall, if so ordered by a majority vote of all the members of the city council, extend its system of mains and supply pipes on any street, lane, alley, or other public place in said city, contiguous to the pipes of said grantee which have been laid at the time when said order is made.

Fourth—Said grantee shall prior to the erection of poles

and wires or the laying of any pipes or conduits, under this franchise, file with the city engineer a plat showing the streets, lanes and alleys where it proposes to locate the same, which plat must first be approved by the city council, and a permit for such work be issued in accordance therewith by the city engineer before the work of construction shall be commenced. And said grantee hereby agrees to string its wires upon the poles of any other company and permit any other company to string its wires upon the poles of said grantee when ordered so to do by the city council, under such reasonable regulations and compensation therefor as may be fixed and adopted by said council and it shall render the service it is hereby authorized to supply by the best available methods and practice known to the science of applied electricity, and such as will secure the least danger to life and property, compatible with the best obtainable service, and said service must be supplied on equal terms under like conditions, to every commercial user.

Fifth—If for any reason said grantee fails or refuses to conform to any of the provisions of this franchise, then said franchise may be revoked by a resolution of the city council passed by an affirmative vote of a majority of all the members thereof; and upon the passage of such resolution as aforesaid, said franchise shall at once become null and void; and the city shall thereupon have the absolute right to enter the streets, lanes, alleys and other public places of said city and take possession of and remove therefrom, all poles, wires, pipes, conduits, and other appliances therewith connected belonging to said grantee, and at its expense.

And the said grantee hereby waives and relinquishes any and all claim or claims for damages against said city and any of its officers, agents, servants or employes for or on account of such entry and removal; and such revocation and removal, if made, shall in no wise prejudice any claim or right of action which said city may have against said grantee on the bond provided for in the sixth condition of this franchise, by reason of said grantee's non-compliance with any of the terms or conditions thereof.

Sixth—That said grantee shall execute to Salt Lake City a

bond in the penal sum of fifty thousand dollars (\$50,000.00) to be approved by the city council, conditioned that said grantee shall and will forever indemnify and save harmless said Salt Lake City against and from all damages, judgments, decrees costs and expenses which said city may suffer, or which may be recovered or obtained against it for or by reason of, or growing out of, or resulting from any act or acts of the said grantee, its servants or agents, under or by virtue of the privileges herein granted. Provided, however, that the said bond shall not be construed to limit the liability of said company to fifty thousand dollars (\$50,000.00), but the said grantee shall be liable to the full extent of every liability imposed by this condition, notwithstanding the amount thereof may exceed fifty thousand dollars (\$50,000.00). And it is hereby further provided that upon the recovery of any final judgment or judgments against said city as aforesaid, the said grantee shall immediately and without prior payment of such judgment or judgments against said city, as aforesaid, be liable to pay and shall pay the amount or amounts thereof to the said city; and the fact that the said city may not have paid the same shall constitute no defense on the part of said grantee to the payment thereof to said city.

Seventh—That unless a written acceptance of this franchise by the grantee, subject to all the conditions therein contained, be filed with the city recorder within twenty days from the date of the approval hereof by the mayor, this ordinance shall be null and void.

Sec. 2. This ordinance shall take effect from and after its approval.

Effective May 27th, 1897.

An ordinance amending and re-enacting certain resolutions granting franchises to the predecessors of the Utah Light & Power company.

Whereas, the city council of Salt Lake City, on May 20th, 1893, by section one of an ordinance granted to the Salt Lake and Ogden Gas and Electric Light company, its successors and

assigns, for a period of twenty-five years from the date of said ordinance, a right and privilege to use and occupy the streets, alleys, lanes and public places of Salt Lake City, for the purpose of conducting gas and electric current by means of suitable pipes, wires or conduits, or by use of wires or conductors placed above said streets, or both :

That afterwards, to wit, on the 25th day of July, 1893, the city council of Salt Lake City, by section one of a resolution, granted to Robert M. Jones, his heirs and assigns, for a period of twenty-five years from said date, a right to occupy the streets, alleys, lanes and public places of Salt Lake City, for the purpose of conveying electrical energy and electrical current by means of poles and wires above the surface of the ground, and by means of pipes or conduits laid under the ground ;

That afterwards, to wit, on the 19th day of December, 1893, the city council of Salt Lake City, by section 1 of an ordinance, granted to S. F. Walker, his heirs and assigns, for the period of twenty-five years from said date, the privilege of occupying and using the streets, alleys, lanes and public places of Salt Lake City for the right and privilege of conveying gas and electrical current by means of suitable pipes and conduits to be laid below the surface of the ground, or by means of wires and conductors placed above said streets, to be used for electric lighting and furnishing power ; and also pipes laid below the surface of the ground for conveying steam for heating and furnishing power, and other purposes, to the inhabitants and property owners and users in said city ;

That afterwards, to wit, on the 18th day of May, 1897, the city council of Salt Lake City, by section one of an ordinance, granted to the Pioneer Electric company, for a period of twenty-five years from the date of said ordinance, a right to erect and maintain a single line of poles in the streets, alleys and lanes of Salt Lake City, with necessary wires and proper appliances thereto attached, and also to lay pipes and conduits therein for the distribution and conveyance of electricity and gas for said city, to be used by the inhabitants thereof, for light, heat, power and other industrial and commercial purposes ; and

Whereas, The Utah Light and Power company, by a series

of mesne conveyances, has become the owner and now is the owner of all the franchises above set forth, and is now engaged in building a large power station on the Jordan river and otherwise improving its power stations in Salt Lake City, and for that purpose has issued a series of bonds, due in thirty years from January 1, 1900; and has requested that each franchise be extended for an additional period of twenty-five years, namely, fifty years' time from the time of the granting of said original franchises respectively.

Now, therefore, be it ordained by the mayor and city council of Salt Lake City, Utah:

Section 1. That each of said resolutions and ordinances granting said franchises be, and the same is, hereby amended by striking out from Section 1 of each of said resolutions and ordinances the words "twenty-five years" and substituting therefor the words "fifty years."

Provided: That after May 19th, 1918, six additional arc lights be furnished free of charge to the city, during the life of this franchise.

That after July 24th, 1918, six additional arc lights be furnished free of charge to the city, during the life of this franchise.

That after December 18th, 1918, six additional arc lights be furnished free of charge to the city, during the life of this franchise.

That after May 17th, 1922, seven additional arc lights be furnished free of charge to the city, during the life of this franchise.

Sec. 2. That the said Utah Light & Power company, its successors and assigns, shall place all their transmission wires within the following bounded district of Salt Lake City, under ground, within nine years from January 1, 1905, to wit:

1. On West Temple street from its intersection of South Temple street south to Fourth South street.
2. On East Temple street from its intersection of South Temple street south to Fourth South street.
3. On State street from its intersection of South Temple street south to Fourth South street.

4. South Temple street from its intersection of West Temple street east to State street.

5. First South street from its intersection of West Temple street east to State street.

6. Second South street from its intersection of West Temple street east to State street.

7. Third South street from its intersection of West Temple street east to State street.

8. Commercial street and Richards street.

Sec. 3. Said Utah Light and Power company shall commence said work in 1905, and shall build and construct the necessary conduits and ways for such underground transmission wires not less than a distance of one block each year; that is to say, the distance around one full block each and every year after January 1, 1905, and the whole of said district shall be completed within nine years from January 1, 1905, and the said Utah Light and Power company shall, by and with the approval of the engineer of Salt Lake City, locate the place and places in the streets of the said district in which said wires will be laid, on or before January 1, 1906, and the right to excavate and build the said underground conduits and ways for the transmission wires in said locality is hereby granted and confirmed.

Sec. 4. This franchise, with all grants and privileges to be binding only upon written acceptance filed with the city recorder within sixty days after its approval.

Sec. 5. This ordinance shall take effect upon its approval. Effective December 31, 1903.

MESSENGER SERVICE.

GUSTAVUS S. HOLMES.

An ordinance granting a franchise to Gustavus S. Holmes, his successors and assigns, for the purpose of establishing a messenger, night watch and fire alarm service in Salt Lake City.

Be it ordained by the city council of Salt Lake City, Utah :

Section 1. That permission and authority be and are hereby granted to Gustavus S. Holmes, his successors and assigns, hereinafter called the grantee, for the period of twenty years from and after the approval of this ordinance, to construct, erect and maintain all necessary wires and other proper appliances upon the poles of any telegraph, telephone, electric light or railway company, within the paved districts of said city and under such reasonable regulations and compensation therefor as may be agreed upon between the grantee and the company upon whose poles said wires and appliances are attached; for the purpose of providing the inhabitants of said city with messenger, night watch and fire-alarm service, by the most improved electrical devices; but this franchise is not intended to include or authorize service by telephone; and said franchise is granted subject to the following conditions :

First—That the permission and authority hereby granted shall be subject to all laws, ordinances and resolutions now in force in said Salt Lake City, or which may hereafter be passed by the state legislature, or the city council, governing the construction or erection and maintenance of poles, wires and other appliances in the streets, lanes and alleys of said city, and no poles shall be erected under this franchise except outside the

paved districts thereof; it being the intent and meaning of this condition that all wires and other appliances erected under this franchise within said paved districts shall be affixed to poles belonging to corporations now operating within the same.

Second—As part of the consideration for this franchise the said grantee hereby agrees to and with said Salt Lake City, that it will supply to said city free of any and all charges five messenger boxes, to be located as follows:

One in the office of the superintendent of waterworks.

One in the city recorder's office.

One in the mayor's office.

One in the city treasurer's office.

One in the city attorney's office.

And during the life of this franchise no charge shall be made for any official communication or messenger service in connection therewith.

Third—The said grantee shall have said messenger service in full operation within the paved district of said city with not less than six (6) uniformed messengers, by the first day of April, 1898, and the maximum charges for such service to the public shall not exceed,

When said service is performed on foot, 30 cents per hour.

When said service is performed by street car, 35 cents per hour.

Fourth—The said grantee shall execute and deliver to Salt Lake City a bond in the penal sum of five thousand dollars (\$5,000.00) with two good and sufficient sureties, each in the like sum, to be approved by the city council, conditioned that he shall and will forever indemnify and save harmless said city from and against any and all damages, judgments, decrees, costs and expenses which said city may suffer or which may be recovered or obtained against it, by reason of or resulting from any act or acts of the said grantee, done or suffered to be done under or by virtue of the privileges herein granted.

Fifth—A written acceptance of this franchise by the grantee, subject to all the conditions herein contained, must be filed with the city recorder within twenty (20) days from the date

of the approval hereof by the mayor; and a failure at any time to comply with all the terms and conditions of this franchise shall work an absolute forfeiture of all the rights and privileges herein granted.

Sec. 2. This ordinance shall take effect from and after its approval.

Effective December 8, 1897.

PUBLIC LANDS.

UNIVERSITY OF DESERET.

A Resolution authorizing the mayor to tender certain lands to the chancellor and board of regents in trust for the University of Deseret, and to execute a deed therefor upon certain conditions.

Whereas, The Corporation of Salt Lake City is desirous of aiding the cause of education, and recognizing the necessity of suitable buildings upon grounds eligible for such purpose, and the benefits which will result to the people at large by increased facilities for education; therefore,

Be it Resolved by the city council of Salt Lake City: That the mayor of said city be and is hereby authorized to tender, as a donation to the chancellor and board of regents of the University of the State of Deseret, in trust for the use and benefit of said University, the square known as Union Square belonging to said city, being block one hundred and two (102), plat A, Salt Lake City survey, on which to erect suitable buildings for educational purposes, upon the following conditions:

First—The acceptance of the trust by said chancellor and board of regents;

Second—The payment of one dollar;

Third—The erection upon said land of the chief and principal buildings of said University;

Fourth—That such buildings shall be used exclusively for educational purposes and purposes incidental thereto;

Fifth—That suitable courses of instruction shall be provided and maintained in said buildings at all reasonable times, by and under the direction of said chancellor and board of regents and their successors in office;

Sixth—That the right of the inhabitants of said city to

enter upon said land or grounds for the purpose of promenade shall be forever reserved, and to be exercised under and subject to such regulations as may from time to time be established by said chancellor and board of regents, in conjunction with the mayor of Salt Lake City, and their respective successors;

Seventh—That whenever the purpose for which the proposed trust is granted shall cease to be carried out, and when University buildings, and courses of instruction therein shall cease to be maintained and continued, the proposed trust shall cease and become absolutely void and of non-effect.

And on the acceptance by the said chancellor and board of regents of the trust hereby proposed on the conditions, as aforesaid, the said mayor be and is hereby authorized to execute the proper deed of conveyance of said described premises to said chancellor and board of regents, in trust for the use and benefit of said University, subject to such conditions.

Adopted October 19, 1880.

SITE FOR CAPITOL BUILDING.

A Resolution ratifying and confirming the donation by Salt Lake City of lands for the site of a Capitol building for the Territory of Utah.

Whereas, The city of Salt Lake has offered and tendered to the Territory of Utah, under the conditions, limitations and restrictions hereinafter named, the following-described lands and premises, to be used and devoted to the erection of the capitol buildings of the Territory or the future State of Utah, to-wit: Beginning at a point two hundred and fifty-two (252) feet south and seven hundred and ninety-nine and one-half (799 1-2) feet east from the southwest corner of the northwest quarter of section thirty-one (31), township one (1) north, of range one (1) east, Salt Lake meridian; thence east one hundred and thirty-two (132) feet, thence north eighteen (18) degrees east five hundred (500) feet, thence north nine hundred

(900) feet, thence west one thousand (1000) feet, thence south twenty-seven (27) degrees, forty-five (45) minutes east, fifteen hundred and fifty (1550) feet to the place of beginning; containing nineteen and forty-six one-hundredths (19 46-100) acres; said tract being contained within the limits of the west half of said section thirty-one (31); also an additional one-half interest in five (5) acres of land, more or less, as may be necessary, suitably situated on Capitol Hill, for reservoir purposes, the location of said land to be hereafter determined by the Territory and city, the said conditions, limitations and restrictions to be as follows, to-wit:

First—Acceptance of the land designated and trust herein conferred under the conditions named.

Second—The payment of one (\$1.00) dollar.

Third—The erection upon said lands of the capitol buildings of the Territory or future State.

Fourth—That such buildings be used exclusively for Territorial or State purposes.

Fifth—That the portion of said land not actually devoted to buildings, as aforesaid, be improved and cultivated as a public park.

Sixth—That whenever the purposes for which the proposed grant is made shall cease to be carried out, and said grounds shall cease to be used for capitol grounds or Territorial or State purposes, as herein provided, then the proposed trust shall cease and the grant become absolutely void and of no effect, and said lands revert to the grantor; and

Whereas, The said offer and tender of said lands by the city of Salt Lake to the Territory of Utah has been accepted by the said Territory, subject to the conditions, limitations and restrictions in said offer specified and set forth; now, therefore,

Be it Resolved by the city council of Salt Lake City: That the mayor be, and is hereby, authorized to execute a deed of conveyance of the lands hereinbefore described to the territory of Utah, subject to the conditions named.

Adopted March 6, 1888.

TERRITORIAL FAIR BUILDINGS.

A Resolution ratifying and confirming the donation by Salt Lake City of lands for the site of territorial fair buildings for the Territory of Utah.

Whereas, The city of Salt Lake has offered and tendered to the Territory of Utah, under the conditions, limitations and restrictions hereinafter named, the following described lands and premises, to be used and devoted to the erection of Territorial or State fair buildings, to-wit: All of block twenty-five (25), plat B, Salt Lake City survey, the said conditions, limitations and restrictions to be as follows, to-wit:

First—Acceptance of the governor and legislative assembly of the premises designated and trust herein conferred.

Second—The payment of one dollar.

Third—That the sum of twenty thousand (\$20,000) dollars be appropriated by the governor and legislative assembly of the Territory, and be expended in the years 1888, 1889, for the erection of permanent Territorial or State fair buildings, and the improvement of said land.

Fourth—That such buildings be used exclusively for Territorial or State fair purposes.

Fifth—That the portion of the grounds not actually devoted to buildings, as aforesaid, be improved and cultivated as a public park.

Sixth—That whenever the purposes for which the proposed grant is made shall cease to be carried out, and said grounds cease to be used for Territorial or State fair purposes, as herein provided, then the proposed trust shall cease and the grant become absolutely void and of no effect, and the said lands revert to the grantor. And,

Whereas, The said offer and tender of said lands by the City of Salt Lake to the Territory of Utah has been accepted by the said Territory, subject to the conditions, limitations and restrictions in said offer specified and set forth, now, therefore,

Be it Resolved by the City Council of Salt Lake City:

That the mayor be, and is hereby, authorized to execute a deed of conveyance to the land hereinbefore described to the Territory of Utah, subject to the conditions named.

Adopted March 20, A. D. 1888.

LANDS DEDICATED TO PUBLIC USE.

An ordinance reserving and dedicating certain lands in Salt Lake City for the use of the public.

Section 1. Be it ordained by the city council of Salt Lake City: That the lands hereinafter described, lying and being within the limits of said city, be, and the same are hereby, forever reserved and dedicated to the use of the public, as public parks and squares, school, asylum and hospital lots, water-works, reservoirs and tanks, streets, roads, lanes and alleys, for fire engines, hose and pest houses, and such other necessary public uses as may be hereafter designated by the city council of Salt Lake City, under such regulations and restrictions as it may from time to time prescribe. The lands so dedicated are described as follows, to-wit:

Beginning at the center of section 25, of township 1 north, range 1 west Salt Lake meridian, thence north 26 6-10 rods, thence east 36 rods, thence south 26 6-10 rods, thence east 104 rods, thence north 46 6-10 rods, thence east 20 rods, thence north 34 1-2 rods, thence south 80 degrees west 18 rods, thence south 25 degrees 22 minutes east 25 1-2 rods, thence south 64 degrees 38 minutes west 20 rods, thence west 53 1-2 rods, thence north 40 rods, thence west 40 rods, thence north 73 4-10 rods, thence east 80 rods, thence south 50 rods, thence east 40 rods, thence north 50 rods thence east 80 rods, thence south 160 rods, thence east 240 rods, thence south 135 rods, to the north side of block 191, plat D, Salt Lake City survey, thence west 164 rods, to the northwest corner of block 185, plat D, thence south 75 rods, thence west 25 rods to the northwest corner of block 153, plat D, thence south 110 rods, thence west 5 rods,

thence south 5 rods, thence west 10 rods thence south 20 rods, thence west 10 rods, thence south 15 rods, thence west 5 rods, thence along City creek south 25 degrees west 22 1-2 rods, to the northwest corner of the Garden wall, thence along said wall south 27 degrees west 27 rods, to the north side of Third street, thence west 11 2-10 rods, to the west side of Canyon road, thence north 29 degrees and 40 minutes east 24 rods, to the northeast corner of John R. Park's land, thence north 17 degrees east 9 6-10 rods, thence north 10 degrees and 50 minutes east 10 rods, thence west 6 rods, thence south 30 degrees and 30 minutes west 5 4-10 rods, thence west 5 4-10 rods, thence north 33 rods, thence north 18 degrees east 20 1-2 rods, thence north 63 6-10 rods, thence east 3 rods, thence north 104 9-10 rods, to the northeast corner of plat J, Salt Lake City survey, thence west along the north line of said plat J 120 rods, to the east line of block 33, plat E, thence north 32 degrees and 15 minutes west 11 1-2 rods, to the northeast corner of said block 33, thence west 28 rods, thence north 35 degrees east 47 and 3-10 rods, to the northeast corner of the City View addition, thence north 36 degrees and 30 minutes west 30 1-2 rods, to the northeast corner of the Utah Lime and Cement company's lands, thence south 43 degrees and 30 minutes west 50 rods, thence north 10 degrees and 20 minutes west 20 rods, thence north 26 degrees 40 minutes west 55 2-10 rods, thence south 55 degrees and 15 minutes west 19 3-10 rods, to the east side of the county road, thence north 24 degrees 30 minutes west along said road 26 rods, to the quarter section line, thence north 31 rods, to the place of beginning, excepting the following described lands:

Beginning at a point 65 2-10 rods south and 1-2 rod west from the northeast corner of the southwest quarter of section 30, township 1 north, range 1 east, Salt Lake meridian, thence south 31 degrees west 18 rods, thence north 59 degrees west 9 rods, thence north 31 degrees east 18 rods, thence north 27 degrees east 18 rods, thence south 63 degrees east 9 rods, thence south 27 degrees west 17 4-10 rods, to the place of beginning, containing 2 acres; also beginning at a point 8 rods west, and north 12 degrees and 30 minutes east, 26 9-10 rods from the

northwest corner of plat I, Salt Lake City survey, thence north 15 degrees and 45 minutes east 10 rods, thence east 4 rods, thence south 15 degrees and 45 minutes west 10 rods, thence west 4 rods, to the place of beginning, containing 40 square rods of ground; containing in all 625 5-100 acres.

Passed September 3, 1889.

An ordinance granting a site upon which to erect a monument to the memory of the late Governor Young and the Pioneers of 1847.

Be it ordained by the City Council of Salt Lake City:

Section 1. That a monument site twenty-five feet square at the intersection of South Temple and East Temple streets in Salt Lake City be and the same is hereby forever set apart to be cared for and managed under the auspices and direction of the Brigham Young Memorial Association and its successors, upon which to erect a monument to perpetuate the memory of the late Governor Young and the Pioneers of 1847, and for the purpose aforesaid, authority is hereby given the said association and its successors to take charge of and improve said site, erect said monument and maintain the same without cost or expense to said city, under such plans and in such manner as shall be approved by the city engineer, and to that end the management and control of said site is hereby surrendered to said association; provided, that nothing herein contained shall authorize said association, its successors or any person, to alter, change or use said site for any other or different purpose than that for which it is herein set apart, and if the said association shall fail to accept the provisions of this ordinance within thirty days from the approval thereof, the same shall be null and void.

Sec. 2. This ordinance shall take effect from and after its approval.

Effective June 5, 1897.

RAILROADS.

GREAT SALT LAKE AND HOT SPRINGS RAILWAY COMPANY.

A resolution granting a franchise to the Great Salt Lake and Hot Springs Railway Company.

Section 1. Be it resolved by the city council of Salt Lake City: That the Great Salt Lake and Hot Springs Railway company, its successors and assigns, have the authority and consent of the city council, and the permission is hereby granted it, to construct, maintain and operate a single or double-track standard-gauge railway, as hereinafter specified, to be operated by steam, electric or cable power, with all the necessary or convenient switches, side-tracks, turnouts and cross-over tracks, on the following streets and roads of Salt Lake City, to-wit:

A single track commencing at a point in Third West street, 330 feet south of the south line of North Temple street, and running thence north along said Third West street to Fifth North street; also a single or double track between Fifth North and Ninth North street, together with two single tracks, switches or turnouts, in the form of a Y, easterly from said track across the sidewalk of said Third West street to the premises described as the north one-half (1-2) of lot four (4) in block eighty-four (84), plat A, Salt Lake City survey. Also a single or double track beginning at the south boundary line of Oak street of Folsom's addition, at a point opposite an alley between lot one (1) and thirty-eight (38) of block seventeen (17) of said addition; thence northerly across said Oak street and along the alleyway last aforesaid, and across Chestnut street, and along the alleyway running through block sixteen (16) of said addition to Cleveland avenue; thence norther-

ly along Cleveland avenue and the county road thirteen hundred and twenty (1320) feet to a point on the westerly boundary line of said county road.

On the following conditions, viz :

First—That all tracks laid by said grantee, its successors or assigns, shall be in the center of the streets, unless otherwise directed by the city council, and in such manner as may be approved by the city council, and upon such streets as are but four rods wide only one track shall be laid, except by permission of the city council.

Second—That all of said railway tracks shall be laid upon and conform to the established grade of the several streets upon which they run, and if said grade is afterward changed by order of the city council, said grantee, its successors or assigns, shall, at its own expense, change the track to conform to the same, and shall keep the road ballasted, with gravel to within one and one-half inches of the top of the rails; Provided, that whenever any of the streets along which the said railway is built shall be paved, then said grantee, its successors or assigns, shall pave between the rails, and for a space of two feet outside of each rail, with the same material as that used in the street pavement.

Third—The said grantee, its successors or assigns, shall gravel and maintain in good condition, at the established grade, the streets along which the track runs for a distance of twenty-five feet on each side of the outer rails, subject to the approval of the supervisor of streets.

Fourth—Said grantee, its successors or assigns, shall put in and maintain such crossings where the line of said railroad intersects streets of Salt Lake City, as shall be from time to time required by the city council, and shall, without requirement from said city council, at once, upon construction of their said road, put in and maintain said crossings.

Fifth—That said track shall be laid and the road operated so as to cause no unnecessary impediment to the common and ordinary use of said streets upon which it is laid. And said grantee shall comply with the direction of said city council in

the construction of the line and the operation of the same within the limits of said city.

Sixth—The rate of speed at which trains, engines or cars shall be run through said city shall not exceed eight miles per hour; and no train or car shall be run on said railway without a locomotive engine attached thereto.

Seventh—Good and sufficient boxes to convey water shall be laid and maintained in good condition, at the expense of said grantee, at all the water ditches crossed by said railway, so as to admit of the free passage of water.

Eight—If engines, trains or cars are run at night, a red light shall be kept in a conspicuous place thereon, and a white light shall be placed upon the front of such engine, car or train.

Ninth—Said city of Salt Lake shall in no way be liable or responsible for any accident or damage that may occur on said road by reason of the default or misconduct of said railway company or its employees. And the said grantee, its successors and assigns, covenant and agree to save the said city harmless from and against any liability, loss, cost or expense, or damage of any nature arising out of the default or misconduct of said railway company, or which may accrue by reason of any accident or injury which may occur in or by reason of the construction or operation of said railroad; and to indemnify and repay said city for any loss, cost or expense, or damage of any kind which may be sustained by reason of any such default, misconduct, accident or danger; and if any judgment for damages for any loss, default, misconduct, accident or injury shall be recovered against said city, the recovery thereof and the judgment therefor shall be final as between said city and said grantee, its successors or assigns, and conclusive as to the liability of the latter to the former.

Tenth—That whenever the city council shall find it necessary or desirable to grant to any other steam railroad company a franchise over any of the streets herein granted, the grantee herein shall allow running arrangements over grantee's tracks to such other company making equitable payment for constructing, maintaining and operating the portion of said grantee's track so used.

Eleventh—That the said railway and its successors and assigns shall at no time use the streets herein granted for storage of cars nor depot purposes, nor shall any locomotive or freight car be run or allowed to remain upon any part of Third West street south of the middle line of block 84, plat A, aforesaid. And they shall, whenever so required by the city, carry, free of charge, all materials necessary for repairing the streets on and over which this franchise is granted.

Sec. 2. That this franchise is granted for the term of twenty-five years from the date of the passage of this resolution, and accepted on the following conditions, viz.: That if the grantee, its successors and assigns, shall fail to perform any one or all the stipulations of this resolution, the city council, after sixty days' notice, and on failure on the part of said company to provide a remedy, or make satisfactory arrangements therefor, may, by a majority vote, declare the privileges herein granted forfeited, and proceed to take possession of the roadbed, and control the same as if this resolution had not passed.

Sec. 3. In consideration of this grant and franchise, said grantee shall, within four months after the date of the passage of this resolution (unless granted further time by the city council), begin the actual construction of a broad-gauge railway to the west from Salt Lake City, and construct and put in operation five miles thereof, within twelve months; Provided, that in the construction and operation of said railway, the said grantee and its successors and assigns shall at all times conform to such ordinances, rules and regulations as have been or may hereafter be adopted by the city council of said city in relation to operating railroads.

Sec. 4. In consideration of the granting and accepting this franchise, all former franchises granted to the Great Salt Lake and Hot Springs railway are hereby annulled.

Sec. 5. That if this grant, with the conditions herein contained, be not accepted in writing by said grantee within thirty (30) days after the passage of this resolution, then the said franchise shall become null and void.

Effective October 18, 1892.

OREGON SHORT LINE R. R. CO.

An ordinance closing a portion of Fourth West street and also South Temple Street, Between Third West and the Center of Fourth West Streets, and Granting a Right of Way Through Certain Streets of Salt Lake City to the Oregon Short Line Railroad company, its successors and assigns.

Be it ordained by the city council of Salt Lake City, Utah:

Section 1. That the Oregon Short Line Railroad company, its successors and assigns, have the authority and consent of the said council, and permission is hereby granted, to construct, maintain and operate a standard railroad track on the east side of and with the center of said track not more than fourteen feet from the center of the present line of the Rio Grande Western Railway company, beginning at a point of connection with its present track now located and operated in Fourth West street, most convenient and near the intersection of First North street and extending thence southerly along the said Fourth West street to a point near the intersection of Eighth South street, and thence curving to the easterly crossing said Eighth and Ninth South streets to a point of connection with the present railway track of the Oregon Short Line Railroad company at a point three hundred feet more or less south of the southerly line of said Ninth South street; and also to make a connection with the tracks of the union passenger depot to be constructed at or near the intersection of Third South street and said Fourth West street in said city.

Sec. 2. All the easterly half of said Fourth West street, that is to say, all that portion of the said street extending from the westerly boundaries of blocks 83 and 98, plat A, to the center of Fourth West street, and also South Temple street between Third West and the center of Fourth West streets, be and the same are hereby closed and vacated, and all travel by the public on said portions of said streets is hereby prohibited,

and the exclusive right to occupy and use the same for railroad purposes is hereby granted to the Oregon Short Line Railroad company, its successors and assigns.

Sec. 3. During the term of this franchise the said grantee shall be subject to the following conditions, viz.:

First—That said railway track shall be laid upon and conform to the established grade of the several streets upon which it may be laid, and if said grade is afterward changed by order of the city council, the said grantee shall at its own expense change the said track so as to conform to the same, and shall keep the said road ballasted, and shall, between Eighth South and Fifth North streets, keep the road ballasted with gravel to within two inches of the tops of the rails, provided that whenever any of the streets along which the said railway track is built shall be paved, then said grantee, its successors and assigns, shall pave between the rails and for a space of two feet outside of each rail, with the same material as that used in the street pavement.

Second—That said grantee shall gravel and maintain in good condition at the established grade the streets, exclusive of the sidewalks, along which the said track runs, subject to the approval of the supervisor of streets.

Third—Said grantee shall put in and maintain such crossings where the line of said railway track intersects the streets of said city as shall be required by the city council.

Fourth—That said tracks shall be laid and the road operated so as to cause no unnecessary impediment to the common and ordinary use of said streets upon which it is laid, except as hereinbefore provided.

Fifth—Good and sufficient boxes to convey water shall be laid and maintained in good condition, at the expense of said grantee, at all the water ditches crossed by said railway track so as to admit of free passage of water.

Sec. 4. The rights and franchises hereby confirmed and granted are for the term of fifty years from and after the passage of this ordinance.

Sec. 5. If the franchise for a union depot, granted concurrent herewith to William H. Bancroft and David C. Dodge be

not accepted, then the franchise herein granted shall be null and void and of no effect.

Sec. 6. If this grant be not accepted on or before the 1st day of May, 1900, the same shall be null and void and of no effect.

Sec. 7. This ordinance shall take effect from its passage.
Effective March 10, 1900.

An Ordinance granting a right-of-way through certain streets of Salt Lake City to the Oregon Short Line Railroad company, its successors and assigns.

Be it ordained by the city council of Salt Lake City, Utah:

Section 1. That the Oregon Short Line Railroad company, its successors and assigns, have the authority and consent of the said council, and permission is hereby granted, to construct, maintain and operate a standard railroad track on the east side of, and with the center of said track not more than fourteen feet from the center of the present line of the Rio Grande Western Railway company, beginning at a point of connection with its present track, now located and operated in Fourth West street, most convenient and near the intersection of First North street, and extending thence southerly along said Fourth West street to a point near the intersection of Eighth South street, and thence curving to the easterly crossing of said Eighth and Ninth South streets, to a point of connection with the present railway track of the Oregon Short Line Railroad company, at a point three hundred feet, more or less, south of the southerly line of said Ninth South street.

Sec. 2. During the term of this franchise the said grantee shall be subject to the following conditions, viz: First—That said railway track shall be laid upon and conform to the established grade of the several streets upon which it may be laid, and if said grade is afterward changed by order of the city council, the said grantee shall, at its own expense, change the said track so as to conform to the same, and shall keep the said

road ballasted, and shall, between Eighth South and First North streets, keep the road ballasted with gravel to within two inches of the tops of the rails, provided that whenever any of the streets along which the said railway track is built shall be paved, then said grantee, its successors and assigns, shall pave between the rails and for a space of two feet outside of each rail, with the same material as that used in the street pavement.

Second—Said grantee shall put in and maintain such crossings where the line of said railway track intersects the streets of said city as shall be required by the city council.

Third—That said track shall be laid and the road operated so as to cause no unnecessary impediment to the common and ordinary use of said streets upon which it is laid, except as hereinbefore provided.

Fourth—Good and sufficient boxes to convey water shall be laid and maintained in good condition at the expense of said grantee at all the water ditches crossed by said railway track, so as to admit of the free passage of water.

Sec. 3. The rights and franchises hereby granted and confirmed are for the term of one hundred years from and after the passage of this ordinance.

Sec. 4. This ordinance and the franchise hereby granted is subject to the limitation that, if at any time the said Oregon Short Line Railroad company and the Rio Grande Western Railway company shall construct a union passenger depot at any point on the line of the franchise hereby granted along said Fourth West street, that both the said Rio Grande Western Railway company and the said Oregon Short Line Railroad company shall reciprocally have the right to trackage privileges over the lines of each, on Fourth West street, which shall be convenient and necessary for all the purposes of such union passenger depot, as the same shall be prescribed by any ordinance authorizing the construction of said depot. (Also subject to limitation that, if such union passenger depot shall not be constructed by said companies as aforesaid, the said Oregon Short Line Railroad company will suffer and permit its track, laid in accordance with the franchise hereby granted,

to be intersected and crossed by the track of the Rio Grande Western Railway company at all proper and necessary places on the line of its said franchise on Fourth West street, to enable the said Rio Grande Western Railway company to reach its passenger depot should such depot be erected east of the track covered by this franchise.)

And subject to the further limitation and condition that if such union passenger depot shall not be constructed by said companies, that the said Oregon Short Line Railroad company shall within two years from the passage of this ordinance erect a passenger depot in Salt Lake City adequate for the accommodation of the traveling public upon its road; said depot to cost not less than one hundred thousand dollars, and to secure the performance of this condition said Oregon Short Line Railroad company shall execute to Salt Lake City a bond with good and sufficient securities in the sum of fifty thousand dollars, conditioned that said sum shall be forfeited and paid to the said city in consideration of this franchise in the event of the failure of said railroad company to erect such depot within the said time.

Sec. 5. This ordinance shall take effect upon approval.
Effective May 20, 1902.

An ordinance closing portions of certain streets and granting the right of way through certain streets of Salt Lake City, to the Oregon Short Line Railroad company, its successors and assigns.

Whereas, the Oregon Short Line Railroad company now owns, or is seeking to acquire the larger portion of block sixty-five (65), all of block eighty (80), all of block eighty-three (83), the larger portion, including all of the westerly front of block ninety-eight (98), about one-half of, including all the westerly front of block one hundred and one (101), all the westerly portion, including the westerly front of block one hundred and sixteen (116); also all the westerly portion and

westerly front of blocks one hundred and nineteen (119) and one hundred and thirty-four (134), the easterly portion, including the easterly front of block one hundred and thirty-six (136), all of blocks one hundred fifty-three (153), one hundred fifty-four (154) and one hundred seventy-one (171), all in plat "A," Salt Lake City; also all of that portion of block one hundred and nine (109) in plat "C" of said city, lying easterly of the main line of its railroad; and is also seeking to acquire additional lands for yard space extending north of Ninth North street to the intersection of Culmer and May streets, in said city; and

Whereas, South Temple street and North Temple street, between Third and Fourth West streets, in said city, are now used by said Oregon Short Line Railroad company for depot and yard purposes by virtue of franchises heretofore granted, and there are now twenty railroad tracks or more extending across the said streets, which are used continuously by said railroad, thereby greatly impeding and obstructing the said portions of said streets for public travel, and by reason of said use the said portions of said streets have become very dangerous to persons and property passing over the same and across the said yards and tracks of the said railroad company; and

Whereas, The said railroad company proposes at its sole expense to construct along North Temple street a suitable and adequate viaduct to enable the public to have safe and convenient passage along said street over the railroad yard and tracks as they now exist and as the said tracks will exist after the rearrangement by said company of its said yard as proposed; and when said viaduct is completed, to deliver the same to the said city as appurtenant to and a part of the said North Temple street; and

Whereas, The city council of Salt Lake City did on the 20th day of May, 1902, pass an ordinance entitled "An Ordinance granting a right of way through certain streets of Salt Lake City to the Oregon Short Line Railroad company, its successors and assigns," by which said Oregon Short Line Railroad company was granted authority to construct, maintain and operate a standard gauge railroad track on the east

side of Fourth West street, beginning at a point of connection with its present track near the intersection of First North street and extending thence southerly along said Fourth West street to a point near the intersection of Eighth South street; and

Whereas, It is proposed by said Oregon Short Line Railroad company to relinquish its said grant and franchise to construct and maintain the said track in said streets south of a point two hundred and fifty (250) feet south of the south line of First South street; Provided, the city council of said city grant to the said Oregon Short Line Railroad company the privileges and franchises hereinafter contained; and

Whereas, The said Oregon Short Line Railroad company proposes to construct large railroad shops and roundhouses upon its land in blocks one hundred and fifty-four (154) and one hundred and seventy-one (171), plat "A;" and also a commodious passenger depot extending across South Temple street west of the west boundary line of Third West street, extending into blocks eighty (80) and eighty-three (83) of plat "A;" and also proposes to rearrange its yard and tracks at and near the said proposed passenger depot, said yard and tracks when rearranged being approximately shown by yellow lines upon the plat hereto attached, marked "Exhibit A," and hereby referred to and made a part of this ordinance.

Now, therefore, in consideration of the premises, be it ordained by the city council of Salt Lake City, Utah, as follows:

Section 1. That all the streets and portions of streets hereinafter particularly mentioned and described be, and the same are hereby vacated and closed, and all travel by the public thereon is hereby prohibited, and the exclusive right to occupy and use the same for railroad purposes is hereby granted to the Oregon Short Line Railroad company, its lessees, successors and assigns. The said streets and portions of streets hereby closed and vacated are described as follows, to wit:

First—The street known as "Morris avenue," in block sixty-five (65), plat "A."

Second—The west one-third of Third West street, be-

tween the north line of First South street and the south line of North Temple street.

Third—The east half of Fourth West street, from the north line of First South street to the south line of Second North street.

Fourth—All of the east half of Fourth West street, between the north line of Second North street and the south line of Third North street.

Fifth—The east half of Fourth West street, between the north line of Third North street and the south line of Fourth North street.

Sixth—The east half of Fourth West street, between the north line of Fourth North street and the south line of Fifth North street.

Seventh—The west half of Fourth West street from the north line of Fifth North street to the south line of Ninth North street.

Eighth—All of Fifth West street, between the north line of Seventh North street and the south line of Ninth North street.

Ninth—All of Grant street, in Kinney & Gourlay's addition, between the north line of Ninth North street and a point one hundred fifty-six and thirty-six hundredths (156.36) feet north of the north line of Ninth North street.

Tenth—All of Lynn street, in Kinney & Gourlay's addition, between the north line of Ninth North street and south line of Hamilton street.

Eleventh—All of Culmer street, in Kinney & Gourlay's addition, between the north line of Hamilton street and the south line of May street.

Twelfth—All of South Temple street, between the west line of Third West street and the east line of Fourth West street.

Thirteenth—All of North Temple street, between the west line of Third West street and the east line of Fourth West street.

Fourteenth—All of Sixth North street, between the west line of Fourth West street and a line drawn twenty (20) feet

westerly from the parallel with the west track of the Oregon Short Line railroad across said Sixth North street, between Fourth West street and Fifth West street.

Fifteenth—All of Seventh North street, between the west line of Fourth West street and a line drawn twenty (20) feet westerly from and parallel with the west track of the Oregon Short Line railroad across said street, at the intersection of Seventh North street and Fifth West street.

Sixteenth—All of Eighth North street between the west line of Fourth West street and a line drawn twenty (20) feet westerly from and parallel with the west track of the Oregon Short Line railroad across said street, between Fifth West street and Sixth West street.

Seventeenth—All of Hamilton street, between the west line of Lynn street and the east line of Culmer street.

Eighteenth—All of Goodwin street, lying west of the west line of the north and south alley in block forty-four (44), of Kinney and Gourlay's addition, produced, southerly, and the west line of the right of way of the Oregon Short Line railroad.

Nineteenth—All that portion of the east and west alley through block forty-four (44), of Kinney and Gourlay's addition, within one hundred and fifty (150) feet of Culmer street.

Twentieth—All of Jefferson street and the north and south alleys south of the south line of Ninth North street, and being between Fourth and Fifth West streets.

Sec. 2. That the said Oregon Short Line Railroad company, its lessees, successors and assigns, have the authority and consent of the said city council, and permission is hereby granted it, to cross at grade, with its necessary tracks in carrying out its terminal plans substantially as shown by the map herewith presented, the following streets, to wit:

First—Second South street, between Third West street and Fourth West street.

Second—First South street, between Third west street and Fourth West street.

Third—First North street between a point one hundred

and sixty-five (165) feet west of the west line of Third West street and the east line of Fourth West street.

Fourth—Second North street, between the north and south center lines of blocks one hundred and one (101) and one hundred and sixteen (116), produced, and Fourth West street.

Fifth—Third North street, between the north and south center line of blocks one hundred and sixteen (116) and one hundred and nineteen (119), produced, and Fourth West street.

Sixth—Fourth North street, between the east line of lot four (4), block one hundred and thirty-four (134), produced, and Fourth West street.

Seventh—Fifth North street, on Fourth West street.

Eighth—Ninth North street, between the east line of Washington street, in Lake View subdivision, produced, and the west line of the Oregon Short Line Railroad company's right of way.

Sec. 3. That said Oregon Short Line Railroad company, its lessees, successors and assigns, have the authority and consent of the said council, and permission is hereby granted it, to construct, maintain and operate one additional standard gauge railroad track in Third West street beginning at a point of connection with its present tracks, at or near South Temple street and extending southerly to and across Ninth South street, such track to be so located on said street near the center thereof as that the center line between said additional track and the existing track of the said railroad company on said street shall coincide with the center line of said street, and the said tracks shall be at such distance apart and from telephone or other poles situated in said street as will permit the safe operation of said track.

Sec. 4. That the said Oregon Short Line Railroad company, its lessees, successors and assigns, have the authority and consent of said council, and permission is hereby granted it to lay such additional tracks on its property and the intersecting streets in carrying out the plans as shown on the said

map, and as from time to time may be necessary to enable it to properly transact its business on such property.

Sec. 5. And be it further ordained as a condition of the granting of the franchise herein provided for, that said grantee, its lessees, successors and assigns, shall construct the viaduct herein proposed on North Temple street, which shall be suitable and sufficient to accommodate the public travel over and along said street, and upon the completion thereof to the satisfaction and acceptance of the city council of said city, the roadway over said viaduct shall be maintained by said city, and the structural or steel portion shall be maintained by the Oregon Short Line Railway company. The said grantee shall also construct from Fourth West street along or near the present line of South Temple street to Third West street and over, through or around its proposed passenger station, an elevated footway or bridge sufficient to accommodate foot passengers passing east and west along South Temple street between Third West and Fourth West streets.

Sec. 6. The rights and franchises hereby granted and confirmed are for the term of one hundred years from and after the passage of this ordinance, and are granted upon the following conditions, viz.:

First—That all of said railway tracks shall be laid upon and conform to the established grade of the several streets upon which they may be laid, and if such grade is afterward changed by order of the city council, the said grantee shall, at its own expense, change the said tracks so as to conform to the same.

Second—Shall keep all of the space occupied by said railroad tracks in said street and for a distance of twenty (20) feet outside of the outside rails of such tracks ballasted with gravel to within two inches of the tops of the rails, and shall also make and maintain such crossings of all of said tracks as shall from time to time be required by the city council.

Third—Whenever any of the streets along which the said railway tracks, or any of them, are built, shall be paved, then the said grantee, its lessees, successors and assigns, shall pave between the rails and for a space of two feet outside of each

rail, with the same material as that used in the street pavement.

Fourth—The said grantee, its lessees, successors and assigns, shall lay and maintain sufficient boxes or pipes to convey all the water required to flow along the said streets crossed by said railway tracks, the same to be of such dimensions as will permit the free passage of all water ordinarily flowing in or along such streets, including all streets closed as well as those not closed, and where said boxes or pipes are laid along the lines of streets now existing but which may be hereafter closed under the terms of this franchise. The said grantee, its lessees, successors and assigns shall, during the life of this franchise, maintain and keep said boxes or pipes in repair, over through or under those portions of such streets closed under the terms of this franchise as shall be used and occupied by the grantee, its lessees, successors or assigns.

Fifth—The said grantee, its lessees, successors or assigns shall immediately, upon the completion of its depot herein proposed to be erected, petition the city council of Salt Lake City for the pavement of Third West street between North Temple street and Second South street.

Sixth—The said grantee, its lessees, successors or assigns shall, within sixty days from the approval of this ordinance, accept in writing, filed with the city recorder, this franchise and the grants and privileges herein given together with the conditions upon it binding and shall within six months from the date of such acceptance commence the actual construction work on its yards, depot, shops and buildings, and complete the same within five (5) years; Provided, that a failure to accept this franchise, or a failure to commence work as herein provided and within the time limits specified, shall work a forfeiture of all rights of the grantee hereunder.

Seventh—The depot or passenger station herein referred to and which the grantee herein is proposing to construct shall cost when completed not less than \$200,000.00.

Sec. 7. This ordinance shall take effect upon approval.

Effective October 2, 1903.

T. P. MURRAY.

An Ordinance granting a right of way through certain streets of Salt Lake City for a railroad to Thomas P. Murray, his successors and assigns.

Section 1. Be it ordained by the city council of Salt Lake City: That Thomas P. Murray, his successors and assigns, have the authority and consent of the city council, and the permission as hereby granted, to construct and operate a single track, standard gauge railroad, together with all the necessary switches for the accommodation of said road, to propel thereon cars by steam power on the following streets of said city:

Commencing at the eastern city limits on Tenth South or Roper street, running thence west to the city canal; thence northwest along the east bank of said canal to Eighth South street; thence west along said Eighth South street to Fifth West street; thence north on Fifth West street to Fifth South street; thence west on Fifth South street to the city limits.

First—That all tracks laid by said grantee shall be in the center of the streets, unless otherwise directed by the city council, and in such a manner as may be approved by the city council.

Second—That all of said railway tracks shall be laid upon, and conform to the established grade of the several streets upon which they run, and if said grade is afterwards changed by order of the city council, said grantee shall at his own expense, change the track to conform to the same, and shall keep the road ballasted with gravel to within one and one-half inches of the top of the rails, provided that whenever any of the streets along which the said railway is built shall be paved then said grantee, his successors and assigns, shall pave between the rails and for a space of two feet outside of each rail with the same material as that used in the street pavement.

Third—That said grantee shall gravel and maintain in good condition at the established grade, the streets along which

the track runs for a distance of twenty feet on each side of the outer rails, to the approval of the supervisor of streets. Said improvements to be made as follows: One-half within one year, and the other half within eighteen months after the commencement of the building of said road.

Fourth—Said grantee shall put in and maintain such crossings where the line of said railroad intersects streets of Salt Lake City, as shall be from time to time required by the city council, and shall, without requirement from said city council, at once upon construction of their said road put in and maintain said crossings.

Fifth—That said track shall be laid and the road operated so as to cause no unnecessary impediment to the common and ordinary use of said streets upon which it is laid. And said grantee shall comply with the directions of said city in the construction of the line and the operation of the same within the limits of said city.

Sixth—The rate of speed at which trains, engines or cars shall be run through said city shall not exceed eight miles per hour, and no train or car shall be run on said railway without a locomotive engine attached thereto.

Seventh—Good and sufficient boxes to convey water shall be laid and maintained in good condition, at the expense of said grantee, at all the water ditches crossed by said railways, so as to admit of the free passage of water.

Eighth—If engines, trains or cars are run at night, a red light shall be kept in a conspicuous place thereon, and a white light shall be placed upon the front of such engine, car or train.

Ninth—Said city of Salt Lake shall in no way be liable or responsible for any accident or damage that may occur on said road by reason of the default or misconduct of said railway company or its employes. And the said grantee, his successors and assigns, covenant and agree to save the said city harmless from and against any liability, loss, cost, or expense or damage of any nature, arising out of the default or misconduct of said railway company, or which may accrue by reason of any accident or injury which may occur in or by reason of the construction or operation of said railroad; and to indemnify and repay

said city for any loss, cost or expense, or damage of any kind which may be sustained by reason of any such default, misconduct, accident or danger, and if any judgment for damages for any loss, default, misconduct, accident or injury shall be recovered against said city, the recovery thereof and the judgment therefor shall be final as between said city and said grantee, his successors and assigns, and conclusive as to the liability of the latter to the former.

Tenth—The construction of said railway to commence within ninety days after the passage of this ordinance, and said railway shall be completed and the same equipped in first-class manner, and cars running thereon from the city limits west to the Deep Creek mining country twelve months after the passage of this ordinance.

Eleventh—That whenever the city council shall find it necessary or desirable to grant to any other steam railroad company a franchise over any of the streets herein granted, the grantee herein shall allow running arrangements over grantee's tracks to such other company upon such other company making equitable payment for constructing, maintaining and operating the portion of said grantee's track so used.

Sec. 2. That this franchise is granted for the full term of twenty years from and after the passage of this ordinance.

Sec. 3. That if the grantee, his successors and assigns, shall fail to keep and perform all the stipulations of this ordinance, or shall fail or refuse to comply with all the rules, regulations and ordinances of Salt Lake City relating to railroads and the running of the same within the city limits, which are now enacted or which shall hereafter be enacted, then the city council, after sixty (60) days' notice, and on failure on the part of the said grantee to provide a remedy or make satisfactory arrangements therefor, may, by a majority vote, declare the privileges herein granted forfeited, and proceed to take possession of the said road and control the same, as if this ordinance had not been passed.

Sec. 4. If this grant, with the terms and conditions herein appended, be not accepted in writing by the grantee within six-

ty (60) days after the passage of this ordinance, the same shall be void and of no effect.

Sec. 5. This ordinance shall take effect from its passage. Effective November 10, 1891.

RIO GRANDE WESTERN RAILWAY COMPANY.

An Ordinance granting certain rights of way to the Rio Grande Western Railway company, and compiling and amending prior grants.

Be it ordained by the city council of Salt Lake City:

Section 1. There is hereby granted to the Rio Grande Western Railway company, its successors and assigns, the use for railroad purposes of certain portions of the streets of said city, as follows:

The right to occupy with steam railroad tracks and use for ordinary railroad-yard purposes all those portions of Sixth West street between Second and Third South streets and between Third and Fourth South streets; also, to lay, maintain and use two railroad tracks on the east side of Sixth West street between Fourth and Sixth South streets; also, to lay, maintain and use one railroad track on the west side of Fifth West street from Second South street to Fifth South street, the outer or easterly rail of which shall not be more than twenty feet east of the east line of the lots on the west side of Fifth South street; Provided, however, that in consideration of this grant the said railroad company shall grade and gravel Fourth South street from Sixth West street to the west line of Seventh West street, and Seventh West street from Fourth South street to the north line of Second South street, and Second South street from Seventh West street to Fifth West street, on the grade established by the city engineer, and gravel the same with a substantial top dressing of good gravel to the satisfaction of the street supervisor, and complete the work on or before the first day of September, 1891.

Also, that said railway company shall open Fourth South street from Fifth to Sixth West streets, bring its tracks across said street to the grade established by the city engineer, and grade Fourth South street from Sixth West street to the center of Fifth West street, and plank and keep in good repair all tracks crossing Fourth South street, so that the same shall be in first-class condition for public travel.

Sec. 2. The right of way heretofore granted to the Denver & Rio Grande Western Railway company for a line of railroad on Sixth West street from Second South street north to the city limits is confirmed to the Rio Grande Western Railway company and made permanent, and there is granted to said company, its successors and assigns, the right to maintain and use a single standard-gauge steam railroad track on Sixth West street from Second South street north to Seventh North street, and thence northwesterly on the line now occupied by its main line, on and across such streets as said main line now occupies, to the north limits of the city; also, to maintain and use the gravel bed and stone quarry branch as now laid and used, from Seventh North to Ninth North streets, and thence northerly and easterly on and across such streets as it now occupies to the northerly limits of the city; also the right to maintain the switch tracks on Sixth West street, just north of Second South street, leading to the coal yards, and southerly across Second South street to the station grounds of the company, except the most westerly of said switch tracks, which is to be moved as hereinafter provided, and when so moved may be maintained and used as aforesaid.

Provided, however, that as a condition to the right to maintain and use said westerly switch track which leads to the stone yard, it shall be moved easterly by said company within thirty days after the passage of this ordinance, so that there shall be at least thirty feet between the westerly rail thereof and the nearest part of the line of the lot on the southeast corner of block 47, plat C of the city survey, being the northwest corner of the space of intersection of Second South and Sixth West streets.

And provided further, that said railway company, its suc-

cessors and assigns, shall from time to time, when reasonably required by the city, furnish, haul and deliver on its cars for use, sufficient gravel to gravel all those parts of Sixth West street from Second South street north which have not been graveled under the conditions of the grant of June 14, 1882, to-wit: to gravel the same from the water courses on either side to the top of its road-bed, the city to furnish men to load and unload and distribute the gravel under the direction of the street supervisor.

Sec. 3. The grants hereby made are also subject to the fulfillment by said company, its successors and assigns, of any and all former agreements in respect to planking and keeping in repair street crossings, and to a compliance by said company with all ordinances of the city now existing or hereafter lawfully made respecting planking and maintaining street crossings in good repair.

Sec. 4. This ordinance shall not be construed to relate to or in anywise affect such franchises and rights of way as have heretofore been granted by the city on the request of said company, shippers or manufacturers, for switch tracks from any line or lines of railroad mentioned in this ordinance to the places of business of shippers or manufacturers.

Effective July 28, A. D. 1891.

Confirming and granting to the Rio Grande Western Railway company a right of way and trackage in Fourth West street and across other streets, in the city of Salt Lake, State of Utah.

Be it ordained by the city council of Salt Lake City, Utah:

Section 1. That the franchise heretofore granted to the Salt Lake & Fort Douglas Railway company and its successors and assigns to construct and operate a line of railroad in Fourth West street from Eighth South street to Fifth North street and thence northwesterly to Ninth North street, with side and switch tracks and connections, and of which franchise

and rights of way the Rio Grande Western Railway company has become the assignee and successor in interest of the grantee, are hereby confirmed and granted to the last named company, its successors and assigns, but under and subject to the limitation that the main track of said company in said street, from the south side of North Temple street to the north side of Fifth North street, shall be laid and maintained on the westerly side of the track of the Oregon Short Line Railroad company, as now located in said street, and the further right of way is granted to the Rio Grande Western Railway company to lay, maintain and operate a standard gauge main track and connections from the north side of Fifth North street, and across streets of the city northwesterly to a connection with its main line as now located, at or near May street in Kinney & Gourley's addition to Salt Lake City. The center of said track from the south side of North Temple street to Fifth North not to be more than thirteen feet from the center of the westerly track of the Oregon Short Line Railroad company; and to enable the grantee to construct its line of railway within the said distance from the said track of the Oregon Short Line Railroad company, it shall secure the removal of the line of telegraph poles now west of and near to the said track of said Oregon Short Line Railroad company between North Temple and Fifth North streets.

Sec. 2. A franchise and right of way is hereby granted to the Rio Grande Western Railway company, its successors and assigns, to lay, maintain and operate a standard gauge railroad track with its connection, in Fourth West street, from a point in said street north of Eighth South street, and running thence south in said Fourth West street to the south side of Tenth South street, with the right to diverge southwesterly in said street, and toward a connection with its main line as now located, at any point between Eighth and Tenth South streets, and to cross any streets in the city on the line of said divergence and to said connection. All that part of Third South street, in said city, between the west line of Fifth West street, and a point twenty rods west of the west line of Sixth West street, is hereby vacated and closed to public use, and the ex-

clusive use thereof is granted to said railroad company for railroad uses.

Sec. 3. During the term of this franchise the said grantee shall be subject to the following conditions, viz. :

First—That said railway track shall be laid upon and conform to the established grade of the several streets upon which it may be laid and if said grade is afterward changed by order of the city council, the said grantee shall at its own expense change the said track so as to conform to the same, and shall between Eighth South and Fifth North streets keep the road ballasted with gravel to within two inches of the top of the rails, provided that whenever any of the streets along which the said railway track is built shall be paved, then said grantee, its successors and assigns shall pave between the rails for a space of two feet outside of each rail, with the same material as that used in the street pavement.

Second—That said grantee shall gravel and maintain in good condition at the established grade, the streets exclusive of the sidewalks along which the said track runs, subject to the approval of the supervisor of streets.

Third—Said grantee shall put in and maintain such crossings where the line of said railway track intersects the streets of said city as shall from time to time be required by the city council.

Fourth—That said tracks shall be laid and the road operated so as to cause no unnecessary impediment to the common and ordinary use of said streets upon which it is laid, except as hereinbefore provided.

Fifth—Good and sufficient boxes to convey water shall be laid and maintained in good condition, at the expense of said grantee, at all the water ditches crossed by said railway track so as to admit of free passage of water.

Sec. 4. The rights and franchise hereby confirmed and granted are for the term of fifty years from and after the passage of this ordinance.

Sec. 5. If the franchise for a union depot, granted concurrent herewith to William H. Bancroft and David C. Dodge,

be not accepted, then the franchise herein granted shall be null and void and of no effect.

Sec. 6. If this grant be not accepted on or before the first day of May, 1900, the same shall be void and of no effect.

Sec. 7. This ordinance shall take effect from its passage. Effective March 10, 1900.

An Ordinance vacating and closing to public use part of West Third South, West Fifth South and Sixth West streets as herein described, and granting the use of the vacated parts to the Rio Grande Western Railway company.

Be it ordained by the city council of Salt Lake City:

Section 1. The following portions and parts of streets within the city of Salt Lake are hereby vacated and closed to public use, and the use thereof for railroad tracks, and for the erection and maintenance thereon of shops, buildings and other structures and improvements suitable for railroad and station purposes, is hereby granted to the Rio Grande Western Railway company, its successors and assigns, so long as said company, its successors and assigns shall use the same as parts of or appurtenant to the maintenance and operation of a railroad and railroad station and depot grounds on, adjacent to or connected with said parts of said streets, to wit:

That part of Sixth West street between the south line of West Second South street and the north line of West Fourth South street, including the crossing of West Third South street; also the east half of Sixth West street between the south line of West Fourth South street and the north line of West Fourth South street and the north line of West Sixth South street, including the space of said east half of Sixth West street at its crossing of West Fifth South street.

Also that part of West Third South street, between the west line of Fifth West street and a line crossing said West Third South street northerly and southerly through the center of blocks 35 and 38, plat C, of the Salt Lake City survey.

Also that part of West Fifth South street, between the west line of Fifth West street and the center of Sixth West street.

Sec. 2. The grant of the use of the vacated parts of said streets to the Rio Grande Western Railway company, its successors and assigns, is limited to shops, railroad, station and depot uses, and for tracks, structures and fixtures appurtenant to or connected with such uses, and upon the abandonment for such uses the grant ceases, and the grantee, its successors and assigns, is not authorized to lease, convey or grant the premises or any part thereof for any other use, business or purpose.
Effective January 25, 1901.

An Ordinance confirming and granting to the Rio Grande Western Railway company a right of way in certain streets in Salt Lake City, Utah, to construct railroad tracks, a passenger depot and to vacate certain streets.

Be it ordained by the city council of Salt Lake City, Utah:

Section 1. That the franchise heretofore granted to the Salt Lake & Fort Douglas Railway company and its successors and assigns to construct and operate a line of railroad in Fourth West street from Eighth South street to Fifth North street and thence northwesterly across streets of the city to Ninth North street, with side and switch tracks and connections, and to which franchise and right of way The Rio Grande Western Railway company has become the assignee and successor in interest of the grantee, is hereby confirmed and granted to the last named company, its successors and assigns, but under and subject to the limitation that the main track of said company in said street from the south side of North Temple street to the north side of Fifth North street, shall be laid and maintained on the westerly side of the track of the Oregon Short Line Railroad company, as now located in said street, and the further right of way is hereby granted to said company, its successors and assigns, to lay, maintain and operate

on the west side of the right of way above confirmed and granted, with side and switch tracks, cross-overs and connections, an additional standard gauge main track on Fourth West street from Eighth South street to Fifth North street, and thence northwesterly across streets of the city to Ninth North street, and from the last named point a main standard gauge double track line across streets of the city northwesterly to a connection with its main line as now located, at or near Lincoln avenue, in Superior addition to Salt Lake City, the intent hereof being to grant to said company a right of way to lay, maintain and operate, with necessary side and switch tracks, cross-overs and connections, a main standard gauge double railway line on Fourth West street, from Eighth South to Fifth North street and thence northwesterly across streets of the city to a connection with its main line as now located, at or near Lincoln avenue in Superior addition to Salt Lake City; and a further right of way is granted to said company, its successors and assigns to lay, maintain and operate, between Fourth and Fifth North streets, on Fourth West street, a cross-over track to connect with the tracks of the Oregon Short Line Railroad company.

Provided: That the Rio Grande Western Railway company shall arbitrate all damages caused on said Fourth West street by reason of laying such double track. Any person so damaged may select one competent and disinterested arbitrator, such railway company shall make a like selection, and they two shall select a third: and the majority award shall be final; the proceedings shall be according to the statutes of Utah on arbitration and award.

Sec. 2. A franchise and right of way is hereby granted to the Rio Grande Western Railway company, its successors and assigns, to lay, maintain and operate with necessary side and switch tracks, cross-overs and connections, a standard gauge double railroad track on Fourth West street, from a point in said street north of Eighth South street, and running thence south on Fourth West street to the south side of Tenth South street, with the right to diverge southwesterly from said street and toward a connection with its main line as now

located, at any point between Eighth and Tenth South streets, and to cross any streets in the city on the line of said divergence and to the line of said connection.

Sec. 3. A franchise and right of way is also hereby granted to the Rio Grande Western Railway company, its successors and assigns, to construct in and across Third South street, between Fourth West and a line north and south across Third South street, 330 feet east of the east side of Fourth West street in said city, a passenger depot, with approaches and accessories required, and to maintain and use said buildings and their approaches and accommodations, as a passenger depot building; and also to construct, maintain and operate in said city a railroad in said part of Third South street, and on the west half of blocks 47 and 62, plat "A," Salt Lake City survey, and on the east side of Fourth West street between points 410 feet north of the north line of Second South street and 410 feet south of the south side of Fourth South street, with as many main, side, switch and connecting tracks as may be required for ingress and egress of trains to and from said passenger depot and for the convenient use and accommodation thereof, including the right to lay, maintain and use such side, switch and connecting tracks as may be necessary, across Second South and Fourth South streets, near their connection with Fourth West street; provided, that at no time shall the grantee herein allow any railway coaches or other rolling stock to remain standing on said Second South street or Fourth South street.

Such railway company shall build and maintain an elevated foot way or bridge to accommodate foot passengers passing east and west along Third South street between some convenient point in Fourth West street and another convenient point between Third and Fourth West streets, the same to be over, through or around the proposed passenger station of such railway company, and over the tracks used in connection therewith.

Section 4. That the easterly half of Fourth West street between the south side of Second South and the north side of Fourth South streets, including the sidewalk, and also Third

South street, including the sidewalks, between Third and Fourth West streets for a distance of 20 rods east of the west boundary of blocks 47 and 62, Plat "A," Salt Lake City survey, be and the same are hereby vacated as public streets and closed to public use and travel, and the exclusive right to occupy and use the same for railroad and depot purposes is hereby granted to the Rio Grande Western Railway company, its successors and assigns; provided, however, that streets not less than 66 feet in width be made and provided by the grantee over the lands belonging to it and lying easterly of and adjoining the said depot buildings, and extending from Third South street southerly to Fourth South street and northerly from Third South street to Second South street, the same to be dedicated to the public use and to be maintained by the city as public streets during the period of this franchise, and so long as the said passenger depot shall be maintained and operated.

Provided, The Consolidated Railway & Power company, in lieu of its franchise on the portion of Third South street so closed is hereby granted a franchise for a double track on said two new streets to be opened north and south, the same to be for the same length of time and on the same conditions as the franchise now enjoyed by such street railway company on said Third South street.

Sec. 5. During the term of this franchise the said grantee shall be subject to the following conditions, viz.:

First—That said railway tracks shall be laid upon and conform to the established grade of the several streets upon which they may be laid, and if said grade is afterward changed by order of the city council, the grantee shall at its own expense, change the tracks so as to conform to the same, and shall between Ninth South and Fifth North streets keep the road ballasted with gravel to within two inches of the top of the rails, provided that whenever any of the streets along which the railway tracks are built shall be paved, then said grantee, its successors and assigns, shall pave between the rails for a space of two feet outside of each rail, with the same material as that used in the street pavement; but the provisions above contained in reference to ballasting and paving

shall not be deemed to include the portions of streets which are herein vacated as public streets.

Second—That said grantee shall gravel and maintain in good condition at the established grade, the streets exclusive of the sidewalks along which the tracks run, subject to the approval of the supervisor of streets.

Third—Said grantee shall put in and maintain such crossings where the line of railway tracks intersect the streets of said city as shall from time to time be required by the city council.

Fourth—The tracks shall be laid and the road operated so as to cause no unnecessary impediment to the common and ordinary use of said streets upon which they are laid, except as hereinbefore provided.

Fifth—That said grantee, its successors and assigns, shall lay and maintain sufficient boxes or pipes to convey all the water required to flow along the said streets crossed (closed?) by said railway tracks, the same to be of such dimensions as will permit the free passage of all water ordinarily flowing in or along such streets, including all streets crossed (closed?) as well as those not crossed (closed?), and where said boxes or pipes are laid along the lines of streets now existing, but which may be hereafter closed under the terms of this franchise. The said grantee, its successors and assigns shall, during the life of this franchise, maintain and keep said boxes or pipes in repair, over, through or under those portions of such streets closed under the terms of this franchise as shall be used and occupied by the grantee, its successors or assigns.

Sixth—That said grantee, its successors or assigns, hereby waive the right and privilege to ever protest against the paving of such two new streets to be opened north and south as aforesaid.

Sec. 6. That the east half of Sixth West street between the south side of Sixth South street and the north side of Ninth South street, including sidewalks, and also the west half of Fifth West street between the south side of Second South street and the north side of Ninth South street, including sidewalks (excluding in both cases east and west street intersec-

tions now legally open), be and the same are hereby vacated as public streets and closed to public use and travel and the exclusive right to occupy and use the same for railroad and depot purposes is hereby granted to The Rio Grande Western Railway company, its successors and assigns.

Sec. 7. The depot or passenger station herein referred to, and which the grantee herein is proposing to construct shall cost when completed not less than two hundred thousand dollars.

Sec. 8. The said grantee, its successors and assigns shall, within sixty days from the approval of this ordinance, accept in writing, filed with the city recorder, this franchise and the grants and privileges herein given, together with the conditions upon it binding, and shall within one year from the date of such acceptance commence the actual construction work on its yards, depot, shops and buildings, and complete the same within five (5) years; Provided, that a failure to accept this franchise, or a failure to commence work and complete the same as herein provided and within the time limits specified, shall work a forfeiture of all rights of the grantee hereunder.

Sec. 9. The rights and franchise hereby confirmed and granted are for the term of one hundred years from and after the passage of this ordinance.

Sec. 10. If this grant be not accepted on or before the 8th day of December, 1903, the same shall be void and of no effect.

Sec. 11. This ordinance shall take effect from and after its passage.

Effective October 9, 1903.

An ordinance amending an ordinance granted to the Rio Grande Western Railway company on October 5, 1903, and approved by Ezra Thompson, Mayor, October 9, 1903.

Be it ordained by the city council of Salt Lake City, Utah:

Section 1. There is hereby stricken out the word "shops" from section 8 of a certain ordinance entitled, "An ordinance

confirming and granting to the Rio Grande Western Railway company a right of way in certain streets in Salt Lake City, Utah, to construct railroad tracks, a passenger depot and to vacate certain streets," passed by the city council October 5, 1903, and approved by the mayor October 9, 1903.

Sec. 2. This ordinance shall take effect from and after its approval.

Effective December 3, 1903.

An ordinance granting to the Rio Grande Western Railway company, its successors and assigns, a franchise and right of way to construct and operate a spur railroad track on and partially across Fourth West street between Fifth and Sixth South streets in Salt Lake City, Utah.

Be it ordained by the city council of Salt Lake City, Utah:

Section 1. A franchise and right of way is hereby given and granted to the Rio Grande Western Railway company, its successors and assigns, to lay, construct and operate a switch or spur standard gauge railroad track leading from a convenient point on what is known as the Park City Branch of its railway line on Fourth West street, and about midway between Fifth and Sixth South streets in Salt Lake City, Utah, and running from thence on a 33 degr. and 40 min. curve partially across said Fourth West street to and on to lot 4, block 29, in Plat "A," of Salt Lake City survey.

Sec. 2. During the term of this franchise the grantee shall be subject to the following conditions, viz.:

(a) That said switch or spur track shall be laid upon and conform to the established grade of said street, and if said grade is afterward changed by order of the city council the grantee shall at its own expense change the elevation of the track so as to conform to the same.

(b) Whenever said Fourth West street between Fifth and Sixth South streets shall be paved, then said grantee, its successors and assigns, shall pave between the rails and for a

space of two feet outside of each rail with the same material as that used in the street pavement.

(c) Said grantee shall put in and maintain such crossings over said switch or spur track as shall from time to time be required by the city council.

(d) The said switch or spur track shall be laid, and the road operated, so as to cause no unnecessary impediment to the common and ordinary use of said street upon which it is laid.

(e) Good and sufficient boxes to convey water shall be laid and maintained in good condition at the expense of said grantee in all the water ditches crossed by the said switch or spur track, so as to admit of free passage of water.

Sec. 3. Nothing in this grant shall be so construed as to prevent Salt Lake City or its authorized agents from paving, sewerage, laying gas or water mains or pipes, altering, repairing or in any manner improving said Fourth West street, but all such improvements shall be made with as little injury as practicable to said spur track and the operation thereof.

Sec. 4. This franchise is granted for the period of one hundred years from and after the approval of this ordinance.

Sec. 5. This grant and all the terms and conditions thereof shall be accepted in writing by the grantee herein within thirty days from the approval of this ordinance, otherwise the same shall be void and of no effect.

Effective October 9, 1903.

**SALTAIR RAILWAY COMPANY (SALT LAKE AND
LOS ANGELES RAILWAY COMPANY).**

**A Resolution granting a franchise to the Saltair Railway
company.**

Section 1. Be it resolved by the city council of Salt Lake City: That the "Saltair Railway Company," its successors and assigns, have the authority and consent of the council, and the permission is hereby granted it to construct and operate by

cable, electric or steam motive power, a single or double track railway, together with all the necessary switches for the accommodation of said railway on the following street of the said city, to-wit:

Along and through Third South street at and from its intersection with East Temple street, thence westerly to the city limits (the railway running through the county of Salt Lake to the Great Salt Lake.)

On the following conditions, namely: Such track or tracks to be laid on such grades as are now or may hereafter be established by the city council. That the tracks shall be constructed in the center of the street unless otherwise directed by the city council. That the water-courses of said street shall be left and kept free and unobstructed, and good crossings shall be made and maintained by the grantees at the intersections of streets or elsewhere, at the direction of the city council. In consideration of this franchise the grantees, its successors and assigns aforesaid are hereby required to keep in good repair the space inside and between the tracks, and a space of two feet each side of the same, with the same material as is used on the street where such track is laid, and they shall use the flat rail on said street where same is paved. The grantees, its successors and assigns aforesaid, are not permitted to use steam power for propelling cars, unless the same be stationary, and also that the grantees construct a viaduct for the passage of the aforesaid railway, vehicles and pedestrians on Third South street, over the Rio Grande Western tracks, between Fifth and Sixth West streets, in such a manner as shall be approved by the city engineer, whenever the city council may order the same to be done.

Sec. 2. That this franchise is granted for the term of twenty years from the date of the passage of this resolution, and the said company shall pay into the city treasury a per capita tax of 1 1-4 mills on each and every fare collected, and the price of a single fare within the city limits shall not exceed 10 cents.

Sec. 3. That nothing in this grant shall be so construed as to prevent Salt Lake City or its authorized agents from pav-

ing, sewerage, or laying gas or water mains or pipes, altering, repairing, or in any manner improving any of the streets mentioned herein, or any other streets of said city, but all such improvements shall be made with as little injury as practicable to said railway and the operating thereof.

Sec. 4. That in the construction and operation of said railroad, the said grantee, and its successors and assigns, shall at all times conform to such ordinances, rules and regulations as have been, or may hereafter be, adopted by the city council of said city in relation to operating railroads, street railways or tramways in said city, and for each violation thereof they shall be liable to a fine in a sum not exceeding one hundred dollars.

Sec. 5. That whenever the city council shall find it necessary or desirable to grant to any other street railroad company a franchise over any of the streets herein granted, to secure to such other company a connection with any important center or terminus, the grantees herein shall allow running arrangements over grantee's tracks to such other company, on streets where said grantees may have a double track, upon such other company making equitable payment for constructing, maintaining and operating the portion of said grantee's track so used.

Sec. 6. That Salt Lake City shall in no way be liable or responsible for any accident or damage that may occur in the construction or operation of said railway, by reason of the default or misconduct of said grantees, and its successors and assigns, or their employes, and the acceptance of this grant shall be deemed an agreement on the part of said grantee, for itself and successors and assigns, to save the said city harmless from and against all liability, loss, costs, expense and damage, of any nature, arising out of any such default or misconduct, or which may accrue by reason of any accident or injury which may occur in or by reason of the construction or operation of said railway, and to indemnify and repay said city for any loss, costs, expense or damage, of any kind, it may sustain by reason of any such default, misconduct, accident or injury; and if any judgment for damages for any such default, misconduct, accident or injury shall be recovered against the said city, the recovery thereof and the judgment therefor shall be final as be-

tween the said city and the said grantee, and its successors and assigns, and conclusive as to the liability of the latter to the former; Provided, said grantee has had notice of the pendency of the suit in which such judgment is recovered, and has been given an opportunity to defend the same.

Sec. 7. That if this grant, with the terms and conditions herein contained, but not accepted by said grantee within thirty days after the passage of this resolution, or if work be not commenced within sixty days after said acceptance, or if this road is not built in six months to the Great Salt Lake, this grant and franchise shall become null and void.

Effective April 22, 1890.

A Resolution amending Bill No. 20, granting franchise to the Saltair Railway company.

Resolved, That the Saltair Railway company is hereby allowed to use steam motive power commonly known as "Dummy Engines" on their street railway track on Third South street, from Sixth West street west to the city limits, for the term of two years from and after the date of the passage of his resolution.

Effective May 2, 1890.

An Ordinance granting a right of way through certain streets of Salt Lake City for a railroad to the Saltair Railway company, its successors and assigns.

Section 1. Be it ordained by the city council of Salt Lake City: That the Saltair Railway company, its successors and assigns, have the authority and consent of the city council, and the permission is hereby granted, to construct and operate a single track, standard gauge railroad, together with all the necessary switches for the accommodation of said road, to pro-

pel thereon cars by steam power, on the following streets of said city:

Commencing at the west side of Sixth West street on South Temple street, thence west on said South Temple street to the western limits of the city.

First—That all tracks laid by said grantee, its successors or assigns, shall be in the center of the streets, unless otherwise directed by the city council, and in such a manner as may be approved by the city council.

Second—That all of said railway tracks shall be laid upon and conform to the established grade of the several streets upon which they run, and if said grade is afterwards changed by order of the city council, said grantee, its successors or assigns, shall, at its own expense, change the track to conform to the same, and shall keep the road ballasted with gravel to within one and one-half inches of the top of the rails; Provided, that whenever any of the streets along which the said railway is built shall be paved, then said grantee, its successors or assigns, shall pave between the rails, and for a space of two feet outside of each rail, with the same material as that used in the street pavement.

Third—That said grantee, its successors or assigns, shall gravel and maintain in good condition, at the established grade, the streets along which the track runs for a distance of twenty feet on each side of the outer rails, subject to the approval of the supervisor of streets. Said improvements to be made as follows: One-half within one year, and the other half within eighteen months after the commencement of the building of said road.

Fourth—Said grantee, its successors or assigns, shall put in and maintain such crossings where the line of said railroad intersects streets of Salt Lake City, as shall be from time to time required by the city council, and shall, without requirement from said city council, at once upon construction of their said road put in and maintain said crossings.

Fifth—That said track shall be laid and the road operated so as to cause no unnecessary impediment to the common and ordinary use of said streets upon which it is laid. And said

grantee shall comply with the directions of said city council in the construction of the line and the operation of the same within the limits of said city.

Sixth—The rate of speed at which trains, engines or cars shall be run through said city shall not exceed eight miles per hour. And no train or car shall be run on said railway without a locomotive engine attached thereto.

Seventh—Good and sufficient boxes to convey water shall be laid and maintained in good condition at the expense of said grantee at all the water ditches crossed by said railway, so as to admit of the free passage of water.

Eighth—If engines, trains or cars are run at night a red light shall be kept in a conspicuous place thereon, and a white light shall be placed upon the front of such engine, car or train.

Ninth—Said city of Salt Lake shall in no way be liable or responsible for any accident or damage that may occur on said road by reason of the default or misconduct of said railway company or its employes. And the said grantee, its successors and assigns, covenant and agree to save the said city harmless from and against any liability, loss, cost or expense, or damage of any nature arising out of the default or misconduct of said railway company, or which may accrue by reason of any accident or injury which may occur in or by reason of the construction or operation of said railroad; and to indemnify and repay said city for any loss, cost or expense, or damage of any kind which may be sustained by reason of any such default, misconduct, accident or danger; and if any judgment for damages for any loss, default, misconduct, accident or injury shall be recovered against said city, the recovery thereof and the judgment therefor shall be final as between said city and said grantee, its successors or assigns, and conclusive as to the liability of the latter to the former.

Tenth—The construction of said railway to commence within ninety days after the passage of this ordinance, and said railway shall be completed and the same equipped in first class manner, and cars running thereon from the city limits west to the Great Salt Lake within twelve months after the passage of this ordinance.

Eleventh—That whenever the city council shall find it necessary or desirable to grant to any other steam railroad company a franchise over any of the streets herein granted, the grantee herein shall allow running arrangements over grantee's tracks to such other company, upon such other company making equitable payment for constructing, maintaining and operating the portion of said grantee's track so used.

Sec. 2. That this franchise is granted for the full term of twenty years from and after the passage of this ordinance.

Sec. 3. That if the grantee, or its successors and assigns, shall fail to keep and perform all the stipulations of this ordinance, or shall fail or refuse to comply with all the rules, regulations and ordinances of Salt Lake City relating to railroads and the running of the same within the city limits, which are now enacted, or which shall hereinafter be enacted, then the city council, after sixty days' notice, and on failure on the part of the said grantee to provide a remedy or make satisfactory arrangements therefor, may, by a majority vote, declare the privileges herein granted forfeited, and proceed to take possession of the said road and control the same as if this ordinance had not been passed.

Sec. 4. If this grant, with the terms and conditions herein appended, be not accepted in writing by the grantee within thirty days after the passage of this ordinance, the same shall be void and of no effect.

Sec. 5. This ordinance shall take effect from its passage.
Effective January 19, A. D. 1892.

An Ordinance amending "An Ordinance granting a right of way through certain streets of Salt Lake City for a railroad to the Saltair Railway company, its successors and assigns."

Be it ordained by the city council of Salt Lake City: That an ordinance of said city entitled an "Ordinance granting a right of way through certain streets of Salt Lake City for a railroad to the Saltair Railway company, its successors and assigns," passed January 19th, 1892, be, and the same is here-

by amended so that the first part of section one of said ordinance down to the paragraph in said Section beginning with the word "First" shall read as follows:

Section 1. Be it ordained by the city council of Salt Lake City: That the Salt Lake and Los Angeles Railway company, its successors and assigns, have the authority and consent of the city council, and the permission is hereby granted, to construct and operate a single track standard gauge railroad, together with all the necessary switches for the accommodation of said road, to propel thereon cars by steam power, on the following streets of said city: Commencing at a point in South Temple street on the western boundary of said city, where said company's railroad now crosses said boundary, and extending east along said South Temple street from the western limit of city to a point near Fourth West street and thence curving south across said South Temple street and Fourth West street and the sidewalks thereof, into block eighty (80), plat "A," Salt Lake City survey; also the right to construct a curve to connect with the Utah Central Railway company's track on Fourth West street; Provided, that said railroad shall be constructed on South Temple street from the west side of Sixth West street to Fourth West street on the ground now occupied by the Rio Grande Western Railway track and that the temporary right of way heretofore granted to the Denver & Rio Grande Railway company, now the Rio Grande Western Railway company, be, and the same is hereby revoked, and that the said Rio Grande Western Railway company shall have a right of way, during the term of this franchise, over the said track of the Salt Lake and Los Angeles Railway company from said Sixth West street to Fourth West street, without charge, for the purposes for which said track is now used by the said Rio Grande Western Railway company, and neither of said companies shall unnecessarily interfere with the business of the other company nor in any way delay the trains on said road; and the said Salt Lake and Los Angeles Railway company shall put in and maintain all necessary crossings affected by this grant.

Effective May 3, 1894.

SALT LAKE AND FORT DOUGLAS RAILWAY COMPANY.

A Resolution granting a franchise to, and authorizing the mayor and recorder of Salt Lake City to sign a contract with, "The Salt Lake and Fort Douglas Railway company."

Be it resolved by the city council of Salt Lake City: That "The Salt Lake and Fort Douglas Railway company," its successors and assigns, have a right of way, for the period of twenty-five years, over and along the following named streets of said city, to construct, maintain and operate a two or three-railed steam railway from a point connecting with the Denver and Rio Grande Western railway on Eighth South street, and running east to the crossing of the Utah Central railway, with the privilege of connecting with said Utah Central railway by a separate switch; thence east along said Eighth South street to Seventh East street, curving south on to and along Seventh East to Ninth South street; thence curving east on to and along Ninth South street to Tenth East street; curving north on to and along said street along and across the Jordan and Salt Lake City canal; thence curving easterly, and crossing Fourth, Third and Second South streets to the city gravel block on Twelfth East and First South streets; along and across said Twelfth East street, curving on to First South street, along and across said street to Thirteenth East street; thence north, east and south by the most feasible grade to the line of the Fort Douglas military reservation, on the terms and conditions contained in the following agreement, to-wit:

This agreement, made and entered into on this —— day of ——, in the year of our Lord one thousand eight hundred and eighty-four, by and between Salt Lake City, a municipal corporation, organized and existing under the laws of Utah Territory, party of the first part, and hereinafter designated as "said city," and The Salt Lake and Fort Douglas Railway company, a railway corporation of Utah Territory, hereinafter des-

ignated as "said railway company," party of the second part, witnesseth :

Whereas, the said railway company is about to construct and operate through the streets of Salt Lake City a railroad to carry passengers and freight for hire, and for this purpose has applied to said city for a right of way over and along its streets and highways, and for the privilege of laying tracks and running cars thereon, and the said city has granted said application for a period of twenty-five years to said railway company on the terms and conditions following, to-wit :

First—In consideration of the covenants and agreements made by the said railway company, and hereinafter contained, said city has granted, given and extended, and by these presents does grant, give and extend unto the said railway company, a right of way and transit, and a right to build, own, maintain and operate a two or three-railed steam railway, with power to move cars thereon from a point connecting with the Denver and Rio Grande Western railway on Eighth South street, and running east to the crossing of the Utah Central railway, with the privilege of connecting with said Utah Central railway by a separate switch; thence east along said Eighth South street to Seventh East street, curving south on to and along Seventh East to Ninth South street; thence curving east on to and along Ninth South to Tenth East street; curving north on to and along said street along and across the Jordan and Salt Lake City canal; thence curving easterly, and crossing Fourth, Third and Second South streets to the city gravel block on Twelfth East and First South streets; along and across said Twelfth East street, curving on to First South street, along and across said street to Thirteenth East street; thence north, east and south by the most feasible grade to the line of the Fort Douglas military reservation, with necessary and convenient switches, side tracks and turn-tables at the termini and depots of its road; switches and changes in location of track to be made only by consent and with the approval of the city council of said city; Provided, that no freight shall be loaded or unloaded except at the terminal points or depots of said railway.

In consideration whereof the said railway company has agreed for itself, its successors and assigns, and by these presents does agree for itself, its successors and assigns:

First—That all tracks laid by said railway company shall be in the center of the streets, except where it is necessary to make curves in connecting with the Denver and Rio Grande Western railway and with the Utah Central railway, and to turn on to the other streets as hereinbefore described; and no tracks shall be laid upon any sidewalk except to enter or leave the block to which it is adjacent.

Second—That all of the said railway company's tracks shall be laid upon and conform to the established grade of the several streets upon which they run, and if such grade is afterwards changed by order of the city council, said railway company shall, at its own expense, change its track to conform to the same, and shall keep the road ballasted with gravel to within one and a half inches of the top of the rails.

Third—That the said railway company shall gravel and maintain, in good condition, at the established grade, the streets along which its track runs, for a distance of twenty feet on each side of the outer rails, subject to the approval of the supervisor of streets, said improvements to be made as follows: One-half within one year, and the other half within two years after the commencement of building the road, and said railway company shall have permission to take gravel for said purpose from the city gravel block.

Fourth—Said railway company shall put in and maintain plank crossings between the rails, and one foot on the outside of the outer rails, for the entire width of West Temple street, East Temple street, First East street, Fifth East street, and such other principal thoroughfares as the supervisor of streets may at any time designate; and on all other streets intersecting the line of its road, plank crossings shall be put in and maintained by said railway company twenty-four feet long in the center and eight feet long in a line with each sidewalk thereof, the whole width inside, and one foot on the outside of the rail on each side of the track, and the top surface of said planks shall be on a level with the top of the rails.

Fifth—That said track shall be laid and the road operated so as to cause no unnecessary impediment to the common and ordinary use of said streets on which it is laid. And the said railway company shall comply with the direction of said city in the construction of its line, and in the operation of the same, within the limits of said city, when it does not interfere with the points of special agreement as herein set forth.

Sixth—The rate of speed at which trains, engines or cars shall be run through said city shall not exceed eight miles per hour, and no train or car shall be run on said railway without a locomotive engine attached thereto.

Seventh—Good and sufficient boxes to convey the water shall be laid and maintained in good condition at the expense of said railway company, at all water ditches crossed by said railway, so as to admit of a free passage of the water.

Eighth—If engines, trains or cars are run at night, a red light shall be kept in a conspicuous place thereon and a white light shall be placed on the front end of such engine, car or train.

Ninth—That said railway company shall place on said railway dummy passenger cars, with all necessary modern improvements for the convenience and comfort of passengers, which shall be run thereon each and every day, both ways, as often as the public convenience may require, and under such regulations as the city council may from time to time prescribe.

Tenth—That said railway company shall, whenever the city council of said city may require it, after June 1st, 1887, pay to said city a per capita tax of five mills for each and every passenger carried in said dummy cars on said railway, or in lieu thereof, at the option of said city council, said railway company agrees to haul, free of charge, over and on said railway, each way each and every day, Sundays excepted, from and to such points on said railway, as said city, by its officers, agents or employes may designate and require, not exceeding two hundred tons of gravel per day; said city to furnish not less than ten cars for each train, and to load and unload the same,

also to furnish the necessary switches to connect with said railway, and to have the right to make connection with said railway at any and every point said city may desire for the aforesaid purpose. The payment by said railway company of five mills for each and every passenger carried on said dummy cars shall not be demanded from said railway company, its successors or assigns as herein provided, during the period said city shall receive gravel as aforesaid, and it shall be at the option of said city to elect whether it shall demand and receive from said railway company the five mills for each and every passenger carried or the transportation of the gravel in the quantities and according to the terms herein specified; and nothing herein shall be construed to prevent said city from exercising said option at pleasure, provided, however, that said city shall not exercise its right to demand and receive the five mills for each and every passenger carried on said dummy cars, or the transportation of the gravel according to the terms herein specified, for a less period than three months; and said city shall, from time to time, notify in writing said railway company, its successors and assigns, of the times or periods during which it will demand or require the payment of the five mills for each and every passenger carried on said dummy cars or the transportation of the gravel as hereinbefore specified; and the return of the number of passengers carried on said dummy cars, shall be made under oath, by the president and secretary of said railway company to the mayor of said city, within thirty days after the expiration of the term of three months for which said railway company has been notified it will be required to pay into the city treasury the five mills for each and every passenger carried on said dummy cars, and payment of the amount due said city from said railway company shall be made within five days after making the returns herein specified.

Eleventh—Said city shall in no way be liable or responsible for any accident or damage that may occur on said railway by reason of the default or misconduct of said railway company or its employes, and the said railway company covenants and agrees to save the said city harmless from and against any lia-

bility, loss, cost, expense or damage of any nature arising out of any default or misconduct of said railway company, or which may accrue by reason of any accident or injury which may occur in or by reason of the construction or operation of said railway, and to indemnify and repay said city for any loss, costs, expense or damage of any kind it may sustain by reason of any such default, misconduct, accident or injury, and if any judgment for damages for any such default, misconduct, accident or injury shall be recovered against said city, the recovery thereof and the judgment therefor shall be final as between the said city and said company, and conclusive as to the liability of the latter to the former.

Twelfth—The construction of said railway to commence within ninety days after the signing of this agreement, and said railway shall be completed within nine months from said date.

Thirteenth—The said railway company, its successors or assigns, hereby binds itself to comply with all the stipulations hereof. That if the said grantee, its successors and assigns, shall fail to keep and perform all the stipulations of this agreement, the city council, after sixty days' notice, and on failure of the company to provide a remedy, or make satisfactory arrangements therefor, may by a two-thirds vote, declare this agreement null and void, and proceed to take possession of the roadbed and control the same as if this agreement had not been made.

In witness whereof, the mayor of Salt Lake City has hereunto set his hand and caused the seal of said city to be hereunto affixed, by order of the city council of said city, and the president of said "The Salt Lake and Fort Douglas Railway Company" has hereunto set his hand and caused the corporate seal of said company to be hereto affixed by order of the board of directors of said company. Done in duplicate the day and year in this agreement first above written; attested by the recorder of said city and by the secretary of said company.

And be it further resolved, that the mayor of said Salt Lake City be and is hereby authorized to sign the foregoing

contract on the part of Salt Lake City, and the recorder of said city is hereby authorized to attest the same with his signature and the corporate seal of said city.

Effective September 23, 1884.

A Resolution granting a franchise to, and authorizing the mayor and recorder of Salt Lake City to sign a contract with the Salt Lake and Fort Douglas Railway company.

Be it resolved by the city council of Salt Lake City: That the Salt Lake and Fort Douglas Railway company, its successors and assigns, have a perpetual right of way over and along the following described land and premises, to construct, maintain, and operate a two or three-railed steam railway from a point commencing on the west bank of said canal, about thirteen (13) rods east, and seventy-two (72) rods south of the northwest corner of the northeast quarter of section eight (8), township one (1) south, range one (1) east, Salt Lake meridian, in Salt Lake County, Utah Territory, and running thence southerly on and over the right of way of said canal, and on the westerly embankment thereof, through the east half (1-2) of section seventeen (17), said township and range, and thence along said canal into the northeast quarter of section twenty (20) of said township and range to a point about one thousand (1,000) feet south of the penitentiary road, on the terms and conditions contained in the following agreement, to-wit:

This agreement, made and entered into on this — day of ———, in the year of our Lord, one thousand, eight hundred and eighty-seven, by and between Salt Lake City, a municipal corporation, organized and existing under the laws of the Territory of Utah, and hereinafter designated as "said city," party of the first part, and the Salt Lake and Fort Douglas Railway company, a railway corporation of Utah Territory, hereinafter designated as "said railway company," party of the second part, witnesseth:

That whereas, the said railway company is about to construct and operate a railway to carry passengers and freight for hire, and for this purpose has applied to said city for a right of way over and along the west bank of the Jordan and Salt Lake City canal, and for the privilege of laying tracks and running cars thereon, and the said city has granted said application on the terms and conditions following, to-wit:

Now, therefore, in consideration of the sum of six thousand (\$6,000) dollars, in hand, paid to said city by said railway company, the receipt whereof is hereby acknowledged, and of the covenants and agreements made by the said railway company, and hereinafter contained, said city has, subject to the conditions and restrictions hereinafter provided, granted, sold and extended, and by these presents does grant; sell and convey, unto the said railway company, so far as it has the legal right so to do without forfeiting, or in any way impairing its title to any of the premises hereinafter described, or its right to the use thereof for the purposes for which they are now used by said city, the right of way for the construction and operation of a two or three-railed steam railway, on and over the right of way for a canal owned by said city, and on and over the westerly embankment of said city's canal, through the following lands, to-wit: Commencing at a point on the west bank of said canal about thirteen (13) rods east, and seventy-two (72) rods south of the northwest corner of the northeast quarter of section eight (8), township one (1) south, range one (1) east, Salt Lake meridian, in Salt Lake County, Utah Territory, and running thence southerly, on and over the right of way of said canal, and on the westerly embankment thereof, through the east half (1-2) of section seventeen (17), said township and range, and thence along said canal into the northeast quarter of section twenty (20) of said township and range, to a point about one thousand (1,000) feet south of the penitentiary road.

The right of way hereby granted is of sufficient width to construct, maintain and operate a railway, and for access to and along the same with teams and men to repair and keep the said railway in good condition; Provided, that in the construc-

tion, maintenance and operation of said railway, the right to and maintenance and operation of said canal shall in no wise be impaired or infringed upon.

In consideration whereof, the said railway company hereby agrees, for itself, its successors and assigns, that its railway shall be completed within six months from the date of the signing of this agreement, and shall be constructed at such a height and grade on the bank of said canal as not to impair the embankment for canal purposes, nor to in any way interfere with, infringe upon or impair the right of said city to maintain, operate and control said canal; also that it will from time to time, as it may be needed, fill up the grade of its road so as to repair natural settlings and gradual degradations or wear and waste, and that it will maintain the embankment at a height suitable for canal purposes. That should said embankment, where used by said railway company, be impaired or carried away by high water, flood, cloudbursts or underground leakage or other defects arising from such causes, the same shall be repaired by said railway company at its own expense, and said railway company shall keep the bank of said canal occupied by it in good condition, free from weeds and other obstructions; and the construction of said railway shall be under the supervision of the mayor and city surveyor, whose duty shall be to see that no damage shall be done to said canal during the construction of said railway, and to locate the roadway thereof on the most suitable place on the bank of said canal.

That in case the said city should at any time desire to enlarge said canal or in any way change the location of the bed or bank of the same, said railway company will change its track to conform to such enlargement or change of location, so as not to interfere with the free use and operation of said canal.

That whenever, by the cleaning or repairing of said canal along the route hereinbefore described, there shall be accumulated on the west bank thereof any dirt, sediment or other obstruction, said railway company shall remove and carry away the same at its own expense.

That in the construction, maintenance and operation of said railway along the bank of the canal as aforesaid, the capacity of said canal shall not be lessened; and if, by the gradual sinking of the earth on account of said railway, said canal shall be in any way injured or its capacity lessened, said railway company shall place the same in good condition immediately upon proper notice thereof given it by any agent or officer of said city, and the making and easing of curves on said railway must be made on the outer side of the canal embankment.

That in the construction of all bridges by said railway company along said canal, where the railway crosses other streams, the same shall in no case touch the flumes of the said canal, but shall be constructed at such distance therefrom as to prevent any injury to the same.

That said company will keep in repair all irrigation flumes and waterways and all boxes under its track along the bank of said canal, and shall put in and maintain good plank crossings opposite all bridges crossing said canal along the line of its track.

That said city shall in no way be liable or responsible for any accident or damage that may occur on said railway by reason of the default or misconduct of said railway company or its employes, or for any damage that may occur by reason of the construction, maintenance or operation of said railway upon and along the banks of said canal; and the said railway company covenants and agrees to save the said city harmless from and against any liability, loss, cost, expense or damage of any nature arising out of the construction, maintenance and operation of said railway, or arising out of any default or misconduct of said railway company, or which may accrue by reason of any accident or injury which may occur in or by reason of the construction or operation of said railway, and to indemnify and repay said city for any loss, cost, expense or damage of any kind it may sustain by reason of any such construction, maintenance, operation, default, misconduct, accident or injury; and if any judgment for damages arising from such construction, maintenance or operation of said railway, or for any such

default, misconduct, accident or injury, shall be recovered against said city, the recovery thereof and the judgment therefor shall be final as between the said city and said company, and conclusive as to the liability of the latter to the former.

In witness whereof, the mayor of Salt Lake City has hereunto set his hand and caused the seal of said city to be hereunto affixed by order of the city council of said city, and the president of said The Salt Lake and Fort Douglas Railway Company has hereunto set his hand and caused the corporate seal of said company to be hereto affixed by order of the board of directors of said company. Done in duplicate the day and year in this agreement first above written. Attested by the recorder of said city and by the secretary of said company.

And be it further resolved, that the mayor of Salt Lake City be, and is hereby, authorized to sign the foregoing contract on the part of Salt Lake City, and the recorder of said city is hereby authorized to attest the same with his signature and the corporate seal of said city.

Effective November 8, 1887.

A Resolution granting a franchise to and authorizing the mayor and recorder of Salt Lake City to sign a contract with "The Salt Lake and Fort Douglas Railway company."

Be it resolved by the city council of Salt Lake City: That "The Salt Lake and Fort Douglas Railway company," its successors and assigns, have a right of way, for the period of twenty years, over and along the following-named streets of said city, to construct, maintain, and operate a two or three-railed steam railway, from a point connecting with said railway company's track at the intersection of Eighth South and Fourth West streets, north along said Fourth West street to the Utah Central Railway depot, between North and South Temple streets, on the terms and conditions contained in the following agreement, to-wit:

This agreement, made and entered into this —— day

of ——— in the year of our Lord one thousand eight hundred and eighty-eight, by and between Salt Lake City, a municipal corporation, organized and existing under the laws of Utah Territory, party of the first part, and hereinafter designated as "said city;" and The Salt Lake and Fort Douglas Railway company, a railway corporation of Utah Territory, hereinafter designated as "said railway company," party of the second part, witnesseth:

Whereas, The said railway company is about to construct and operate through the streets of Salt Lake City a railroad to carry passengers and freight for hire, and for this purpose has applied to said city for a right of way over and along its streets and highways, and for the privilege of laying tracks and running cars thereon, and the said city has granted said application for a period of twenty years to said railway company on the terms and conditions following, to-wit:

First—In consideration of the covenants and agreements made by the said railway company, and hereinafter contained, said city has granted, given and extended, and by these presents does grant, give and extend unto the said railway company a right of way and transit, and a right to build, own, maintain and operate a two or three-railed steam railway, with power to move cars thereon from a point connecting with said railway company's track at the intersection of Eighth South and Fourth West streets, north along said Fourth West street to the Utah Central railway depot, between North and South Temple streets, with necessary and convenient side tracks and spurs to enable said railway company to connect with the Utah and Nevada railway, with the Utah Central railway, and with the Denver and Rio Grande Western railway; side tracks, spurs and changes in location of track to be made only by consent and with the approval of the city council of said city; Provided, that no freight shall be loaded or unloaded except at the terminal points or depots of said railway.

In consideration whereof, the said railway company has agreed for itself, its successors and assigns, and by these presents does agree for itself, its successors and assigns:

First—That all tracks laid by said railway company shall

be in the center of the streets, except where it is necessary to make curves in connecting with the said Utah and Nevada railway, with the Utah Central railway, with the Denver and Rio Grande Western railway and with the said railway company's depot grounds; and no tracks shall be laid upon any sidewalk except to enter or leave the block to which it is adjacent.

Second—That the said railway company's tracks shall be laid upon and conform to the established grade of the street upon which they run, and if such grade is afterwards changed by order of the city council, said railway company shall, at its own expense, change its track to conform to the same, and shall keep the road ballasted with gravel to within two and a half inches of the top of the rails.

Third—That the said railway company shall gravel and maintain in good condition, at the established grade, the street along which the track runs, for a distance of forty feet on each side of said railway, subject to the approval of the supervisor of streets, said improvements to be made within one year after the date of this agreement, and said railway company shall have permission to take gravel for said purpose from the city gravel block, free of charge.

Fourth—That said track shall, without cost to the said city, be kept and maintained in good condition and repair along its entire length, and the whole space between the rails and one foot on each side thereof shall be kept paved or ballasted of the same material as the street traversed, and made to conform to the established grade thereof. Said railway company shall put in, and maintain, to the acceptance of the supervisor of streets, stone or plank crossings between the rails and one foot on the outside of the rails for the entire width of each and every street crossed by it on said Fourth West street, and the top surface of said stone or planks shall be on a level with the top of the rails.

Fifth—That said track shall be laid and the road operated so as to cause no unnecessary impediment to the common and ordinary use of said street, on which it is laid. And the said railway company shall comply with the direction of said city in the construction of its line, and in the operation of the

same within the limits of said city, when it does not interfere with the points of special agreement as herein set forth.

Sixth—The rate of speed at which trains, engines, or cars shall be run through said city shall not exceed eight miles per hour, and no train or car shall be run on said railway without a locomotive engine attached thereto.

Seventh—Good and sufficient conduits to convey the water shall be laid and maintained in good condition at the expense of said railway company, at all water ditches crossed by said railway, so as to admit of a free passage of the water.

Eighth—If engines, trains or cars are run at night, a red light shall be kept in a conspicuous place thereon, and a standard headlight shall be placed on the front of such engine, car or train.

Ninth—That said railway company shall place on said railway passenger cars with all necessary modern improvements, for the convenience and comfort of passengers, which shall be run thereon each and every day, both ways, as often as the public convenience may require, and under such regulations as the city council may from time to time prescribe.

Tenth—That the provisions of the tenth article of a "Resolution granting a franchise to, and authorizing the mayor and recorder of Salt Lake City to sign a contract with the Salt Lake and Fort Douglas Railway company," adopted September 23rd, 1884, shall also be applicable to this franchise and considered as a part hereof; Provided, that the amount of gravel required to be hauled over this road shall not exceed fifty tons per day, or in the aggregate seventeen thousand tons per annum, and the gravel mentioned therein to be hauled by said railway company for said city, or part thereof, shall, when directed by the proper officers or agents of said city, be transported by said railway company over and along the whole or any part of said railway company's line on said Fourth West street, free of charge to said city, and delivered at such point on the line of said road as its officers or agents may direct.

Eleventh—Said city shall in no way be liable or responsible for any accident or damage that may occur on said railway by reason of the default or misconduct of said railway com-

pany or its employes ; and the said railway company, for itself, its successors and assigns, covenants and agrees to save the said city harmless from and against any liability, loss, cost, expense or damage of any nature arising out of any default or misconduct of said railway company, or which may accrue by reason of any accident or injury which may occur in or by reason of the construction or operation of said railway, and to indemnify and repay said city for any loss, costs, expense or damage of any kind it may sustain by reason of any such default, misconduct, accident or injury, and if any judgment for damages for any such default, misconduct, accident or injury shall be recovered against said city, the recovery thereof and the judgment therefor shall be final as between the said city and said company, and conclusive as to the liability of the latter to the former.

Twelfth—The construction of said railway to commence within sixty days after the signing of this agreement, and said railway shall be completed within ninety days from said date.

Thirteenth—The said railway company, its successors and assigns, hereby binds itself to comply with all the stipulations hereof. That if the said grantee, its successors and assigns, shall fail to keep and perform all the stipulations of this agreement, the city council, after sixty days' notice, and on failure of the company to provide a remedy or make satisfactory arrangements therefor, may declare this agreement null and void, and proceed to take possession of the road-bed and remove or control the same, as if this agreement had not been made.

Fourteenth—That in the construction and operation of said railway, the said party of the second part and its successors and assigns shall at all times conform to all ordinances, rules and regulations that have been, or may hereafter be, adopted by the city council of said city in relation to operating railroads, and to all other ordinances, rules and regulations applicable thereto. And the right of the city council of said city to alter and amend the conditions and provisions of this franchise, whenever in its judgment the public good may require such changes or amendments, is hereby expressly reserved.

In witness whereof, the mayor of Salt Lake City has hereunto set his hand and caused the seal of said city to be hereunto affixed, by order of the city council of said city; and the president of said "The Salt Lake and Fort Douglas Railway company" has hereunto set his hand and caused the corporate seal of said company to be hereunto affixed, by order of the board of directors of said company. Done in duplicate, the day and year in this agreement first above written. Attested by the recorder of said city and by the secretary of said company.

And be it further resolved, That the mayor of said Salt Lake City be, and is hereby, authorized to sign the foregoing contract on the part of Salt Lake City, and the recorder of said city is hereby authorized to attest the same with his signature and the corporate seal of said city.

Effective November 13, A. D. 1888.

UTAH WESTERN RAILWAY COMPANY.

A Resolution granting a franchise to and authorizing the mayor and recorder of Salt Lake City to sign a contract with the Utah Western Railway company.

Be it resolved by the city council of Salt Lake City: That the Utah Western Railway company, its successors and assigns, have a right of way for a period of twenty years, over and along the following-named streets of said city to construct, maintain and operate a two or three-railed steam railway from a point connecting with the tracks laid under the franchise of the Salt Lake and Fort Douglas Railway company at the intersection of North Temple street and Fourth West street, north along said Fourth West street on the west side of the Oregon Short Line and Utah and Northern railway to Fifth North street, thence in a northwesterly direction to Ninth North street at a point immediately west of the right of way of the said Oregon Short Line and Utah and Northern railway, across the intervening streets of said city, and thence west on

said Ninth North street to the west bank of the Jordan river, on the terms and conditions contained in the following agreement, to-wit :

This agreement, made and entered into this —— day of —— A. D. 1889, by and between Salt Lake City, a municipal corporation, organized and existing under the laws of Utah Territory, party of the first part, and hereinafter designated as "said city," and the Utah Western Railway company, a corporation of Utah Territory, and hereinafter designated as "said railway company," party of the second part, Witnesseth :

Whereas, The said railway company is about to construct and operate through the streets of Salt Lake City, a railroad to carry passengers and freight for hire, and for this purpose has applied to said city for right of way over and along its streets and highways and for the privilege of laying tracks and running cars thereon, and the said city has granted said application for a period of twenty years to said railway company on the terms and conditions following, to-wit :

First—In consideration of the covenants and agreements made by the said railway company, and hereinafter contained, said city has granted, given and extended, and by these presents does grant, give and extend unto the said railway company a right of way and transit, and a right to build, own, maintain and operate a two or three-railed steam railway with power to move cars thereon from a point connecting with the tracks of the Salt Lake City and Fort Douglas Railway company, at the intersection of North Temple street and Fourth West street, north along said Fourth West street, on the west side of the Oregon Short Line and Utah and Northern railway, to Fifth North street, thence in a northwesterly direction to Ninth North street, at a point immediately west of the right of way of said Oregon Short Line and Utah and Northern railway, across the intervening streets of said city, and thence west on said Ninth North street to the west bank of the Jordan river.

In consideration whereof, the said railway company has

agreed for itself, its successors and assigns, and by these presents does agree for itself, its successors and assigns:

First—That all tracks laid by this company on streets occupied by the Oregon Short Line and Utah and Northern railway shall be laid at a proper distance from and parallel with the tracks of said last-named railway; and on Ninth North street said track shall run in the center of the street, but the said Utah Western Railway company shall have a right to make necessary curves to connect with said Oregon Short Line and Utah and Northern railway and with the Rio Grande Western railway, but no tracks shall be laid upon any sidewalk, except where it necessarily crosses the same.

Second—That said railway company's tracks shall be laid upon and conform to the established grade of the street upon which they run, and if such grade is afterwards changed by order of the city council, said railway company shall, at its own expense, change its track to conform to the same, and shall keep the road ballasted with gravel to within two and a half inches of the top of the rails.

Third—That the said railway company shall gravel and maintain in good condition, at the established grade, the streets along which its track runs, for a distance of thirty (30) feet on each side of said railway track, where there is no other railway on said street, and thirty (30) feet on the outer side of the track where there is another railway on the streets, subject to the approval of the supervisor of streets; said improvements to be made within one year after the date of this agreement.

Fourth—That said track shall, without cost to said city, be kept and maintained in good condition and repair along its entire length, and the whole space between the rails and two feet on each side thereof shall be kept paved or ballasted of the same material as the street traversed, and made to conform to the established grade thereof. Said railway company shall put in and maintain, to the acceptance of the supervisor of streets, stone or plank crossings between the rails and one foot on the outside of the rails, for the entire width of each and every street crossed by it, and the top surface of said stone or planks shall be on a level with the top of the rails.

Fifth—That the said track shall be laid and the road operated so as to cause no unnecessary impediment to the common and ordinary use of the streets on which it is laid. And the said railway company shall comply with the direction of the city in the construction of its line, and in the operation of the same within the limits of said city, when it does not interfere with the points of special agreement as herein set forth.

Sixth—The rate of speed at which trains, engines or cars shall be run through said city shall not exceed twelve miles per hour, and no train or car shall be run on said railway without a locomotive engine attached thereto.

Seventh—Good and sufficient conduits to convey the water shall be laid and maintained in good condition at the expense of said railway company at all water ditches crossed by said railway company, so as to admit of a free passage of the water.

Eighth—If engines, trains or cars are run at night, a red light shall be kept in a conspicuous place thereon and a standard head light shall be placed on the front on such engine, car or train.

Ninth—That said railway company shall place on said railway passenger cars with all necessary modern improvements for the convenience and comfort of passengers, which shall be run thereon, each and every day, both ways, as often as the public convenience may require, and under such reasonable regulations as the city council may from time to time prescribe.

Tenth—Said city shall in no way be liable or responsible for any accident or damage that may occur on said railway by reason of the default or misconduct of said railway company or its employes, and the said railway company for itself, its successors and assigns covenants and agrees to save the said city harmless from and against any liability, loss, cost, expense or damage of any nature arising out of any default or misconduct of said railway company, or which may accrue by reason of any accident or injury which may occur in or by reason of the construction or operation of said railway, and to indemnify and repay the said city for any loss, costs, expense or

damage of any kind it may sustain by reason of any such default, misconduct, accident or injury, and if any judgment for damages for any such default, misconduct, accident or injury shall be recovered against the said city, the recovery thereof and the judgment therefor shall be final as between the said city and said company, and conclusive as to the liability of the latter to the former.

Eleventh—The construction of said railway to commence within ninety days after the signing of this agreement and be completed within six months from said date.

Twelfth—The said railway company, its successors and assigns, hereby binds itself to comply with all the stipulations hereof. That if the said grantee, its successors and assigns, shall fail to keep and perform all the stipulations of this agreement, the city council, after sixty days' notice, and on failure of the company to provide a remedy or make satisfactory arrangements therefor, may declare this agreement null and void, and proceed to take possession of the road-bed and remove or control the same as if this agreement had not been made.

Thirteenth—That in the construction and operation of said railway, the said party of the second part, its successors and assigns, shall at all times conform to all ordinances, rules and regulations that have been or may hereafter be adopted by the city council of said city in relation to operating railroads, and to all other ordinances, rules and regulations applicable thereto. And the right of the city council of said city to reasonably alter and amend the conditions and provisions of this franchise, whenever in its judgment the public good may require such changes or amendments, is hereby expressly reserved.

In witness whereof, the mayor of Salt Lake City has hereunto set his hand and caused the seal of said city to be affixed, by order of the city council of said city, and the president of said Utah Western Railway company has hereunto set his hand and caused the corporate seal of said company to be affixed by order of the board of directors of said company. Done in duplicate, the day and year in this agreement first above written, and attested by the recorder of said city and by the secretary of said company.

Be it further resolved, that the mayor of said city be and he is hereby authorized to sign the foregoing contract on the part of Salt Lake City, and the recorder of said city is hereby authorized to attest the same with his signature and the corporate seal of said city.

Effective October 29, 1889.

STREET RAILWAYS.

CONSOLIDATED RAILWAY AND POWER COMPANY.

For earlier franchises granted Salt Lake City Railroad Company see ordinances passed March 1, 1872; April 9, 1872; September 13 1872; February 11, 1873; May 27, 1873; January 6, 1876, and February 5, 1878, to be found in Books B and C of ordinances in the office of the city recorder.

A Resolution granting a franchise to the Salt Lake City Railroad company.

Section 1. Be it resolved by the city council of Salt Lake City: That the "Salt Lake City Railroad Company," its successors and assigns, have the authority and consent of the city council, and the permission is hereby granted it, to construct and operate by horse, electric or cable motive power a single or double track street railroad, together with all the necessary switches for the accommodation of said road, on the following streets of said city, namely:

Beginning for the main line at a point about ten rods north from where South Temple street intersects Third West street, in Salt Lake City, county of Salt Lake, Territory of Utah; thence south a distance of about fourteen rods; thence east on South Temple street to West Temple street; thence south on West Temple street to First South street; thence east on First South street to East Temple street; thence south on East Temple street to Third South street; thence east on Third South street to Seventh East street; thence south on Seventh East street to the intersection of Ninth South and Seventh East streets.

A branch line beginning at the point of connection with the main line at the intersection of South Temple and West Temple streets, and running thence east on South Temple street to East Temple street.

A branch line beginning at the point of connection with

the main line at the intersection of West Temple street and First South street, running thence east on First South street to the Fort Douglas military reservation.

A branch line beginning at the point of connection with the main line at the intersection of East Temple and First South streets, running thence north on East Temple street to the intersection of South Temple street; thence east on South Temple street to the Fort Douglas military reservation.

A branch line beginning at the point of connection with the branch line at the intersection of South Temple street and E street and running thence north on E street to Third street; thence east on Third street to the Fort Douglas military reservation.

A branch line beginning at the point of connection with the main line, at the intersection of Second West and South Temple streets, thence north on Second West street, to the Warm Springs bath-houses, which are located on block 168, plot A, Salt Lake City survey.

A branch line beginning at the point of connection with the main line at the intersection of East Temple street and Third South street, thence south on East Temple street to Fifth South street; thence west on Fifth South street to the River Jordan.

A branch line beginning at the point of connection with the branch line at the intersection of East Temple street and Fifth South street; thence east on Fifth South street to Fifth East street; thence south on Fifth East street to Ninth South street.

A branch line beginning at the point of connection with the main line at the intersection of West Temple street and First South street; thence west on First South street to the River Jordan.

A branch line beginning at the point of connection with **the main line** at the intersection of East Temple street and Third South street; thence west on Third South street to the River Jordan.

A branch line beginning at the point of connection with the branch line at the intersection of First South and Fifth

West streets; and running thence south on Fifth West street to the branch line at the intersection of Fifth West street and Third South street.

A branch line beginning at the point of connection with the branch line at the intersection of Fifth West street and Second South street; thence east on Second South street to Tenth East street; thence south on Tenth East street to Fourth South street, on the following conditions, viz.:

Such track or tracks to be laid on such grades as are now or may hereafter be established by the city council. In consideration of this franchise, the grantee, its successors and assigns aforesaid, are hereby required to keep in good repair the space inside the track, and a space two feet each side of the same, and also to use no steam power unless the same be stationary, on any part of the road for propelling cars, unless permitted by the city council. And the grantees aforesaid shall place cars upon said railroad, with all necessary modern improvements for the convenience and comfort of passengers, which shall be run thereon, each and every day both ways, as often as the public convenience may require, and at a rate of speed not exceeding twelve miles per hour, and under such regulations as the city council may from time to time prescribe; Provided, that the grantees aforesaid shall comply with the directions of the city council in the construction of said railroad, and in any other matter connected with the regulations of the same, and that the track or tracks shall be constructed in the center of the streets unless otherwise directed by the city council, and in such a manner as shall be approved by the street supervisor, the track to be laid and the road operated, so as to cause no unnecessary impediment to the common and ordinary use of said streets for all purposes; and that the water courses of said streets be left free and unobstructed; said track to be laid upon a good foundation, even with the surface of the roadway; and good and permanent crossings shall be made by the grantees aforesaid at the intersection of streets and elsewhere wherever the same shall be necessary, at the discretion of the city council, and under the direction and to the acceptance of the street supervisor. The price of a single

passage shall not exceed ten cents, and no charge shall be made in excess thereof; said company shall pay into the city treasury at the rate of not exceeding twenty-five dollars per annum, for each and every car used upon its lines, but otherwise said company shall not be liable to pay any per capita tax whatever.

Sec. 2. That this franchise is granted for the term of twenty years from the date of the passage of this resolution, and accepted on the following conditions, viz.: That if the grantee, its successors and assigns shall fail to perform all the stipulations of this resolution, the city council, after sixty days' notice, and on failure on the part of said company to provide a remedy or make satisfactory arrangements therefor, may, by a two-thirds vote declare the privileges herein granted forfeited, and proceed to take possession of the road bed, and control the same as if this resolution had not been passed.

Sec. 3. That nothing in this grant shall be so construed as to prevent Salt Lake City or its authorized agents from paving, sewerage, laying gas or water mains or pipes, altering, repairing or in any manner improving any of the streets mentioned herein, or any other streets of said city; but all such improvements shall be made with as little injury as practicable to said railway and the operating thereof.

Sec. 4. That in the construction and operation of said railway the said grantee and its successors and assigns shall at all times conform to such ordinances, rules and regulations as have been or may hereafter be adopted by the city council of said city in relation to operating railroads, street railways or tramways in said city, and for each violation thereof they shall be liable to a fine in any sum not exceeding one hundred dollars.

Sec. 5. That Salt Lake City shall in no way be liable or responsible for any damage that may occur in the construction or operation of said railway by reason of the default or misconduct of the said grantee and its successors and assigns or their employes, and the acceptance of this grant shall be deemed an agreement on the part of the said grantee, for itself and its successors and assigns, to save the said city harmless

from and against all liability, loss, costs, expense or damage of any nature arising out of any such default or misconduct, or which may accrue by reason of any accident or injury which may occur in or by reason of the construction or operation of said railway, and to indemnify and repay said city for any loss, costs, expense or damage of any kind it may sustain by reason of any such default, misconduct, accident or injury; and if any judgment for damages for any such default, misconduct, accident or injury shall be recovered against the said city, the recovery thereof and the judgment therefor shall be final as between the said city and the said grantee and its successors and assigns, and conclusive as to the liability of the latter to the former.

Sec. 6. That if this grant, with the terms and conditions herein contained, be not accepted in writing by said grantee within sixty (60) days after the passage of this resolution, the same shall become void and of no effect.

Sec. 7. Unless the cars upon at least four miles of the track of said company be operated by electric or cable motive power within six months from the date of the passage of this resolution, the franchise hereinbefore granted to said company shall become null and void.

Effective January 26, 1889.

A Resolution granting a franchise to the Salt Lake City Railroad company.*

Section 1. Be it resolved by the city council of Salt Lake City: That the "Salt Lake City Railroad Company," its successors and assigns, have the authority and consent of the city council, and the permission is hereby granted it, to construct and operate by horse, electric or cable motive power a single or double track street railroad, together with all the necessary switches for the accommodation of said road, on the following streets of said city, namely:

* Confirmed and made absolute January 20, 1891.

Along Ninth East street from South Temple street to Ninth South street; along Ninth South street from Fifth East street to Ninth East street; along East Temple street from Fifth South street to Ninth South street; along Second West street from South Temple street to Eighth South street; thence westward along Eighth South street to the Jordan river; along East Temple street from South Temple to First North street; along West Temple street from South Temple street to First North street; thence along First North street one block to First West street; thence along First West street to Wall street; thence along Wall street to the Warm Springs; along Fifth West street from First South street to Ninth North street; along Second North street from First West street to Eleventh West street; along Ninth South street from Fifth East street to East Temple street; along Second South street from Fifth West street to Sixth West street, on the following conditions, viz.:

Such track or tracks to be laid on such grades as are now or may hereafter be established by the city council. In consideration of this franchise, the grantees, its successors and assigns aforesaid, are hereby required to keep in good repair with the same material and in the same manner as the rest of the street is or may be paved, the space inside the track, and a space two feet each side of the same, including all spaces between double tracks where the same may be constructed, and also to use no steam power, unless the same be stationary, on any part of the road for propelling cars, unless permitted by the city council.

[The remainder of this section, beginning with the words "And the grantees aforesaid," and sections two, three, four and five of this resolution, are exactly identical in language to the like numbered sections in the resolution granting a franchise to the Salt Lake City Railroad Company, passed January 26, 1889. See pages 459-460.]

Sec. 6. That if this grant, with the terms and conditions herein contained, be not accepted in writing by said grantee within thirty (30) days after the passage of this resolution, or if work be not commenced within sixty (60) days after said

acceptance, or if work be not completed on at least five miles of said road within nine months after said acceptance, then this grant and franchise shall become null and void.

Effective February 11, 1890.

A Resolution granting a franchise to the Salt Lake City Railroad company.*

Section 1. Be it resolved by the city council of Salt Lake City: That the Salt Lake City Railroad Company, its successors and assigns, have the authority and consent of the city council, and the permission is hereby granted it, to construct and operate by electric or cable motive power a single or double track street railroad, together with all the necessary switches for the accommodation of said road, on the following streets of said city, namely:

First—Commencing at the intersection of Ninth East and Ninth South streets, thence east on Ninth South Street to Eleventh East street, thence south on said street to the southern limits of Salt Lake City.

Second—On First East street, from South Temple street to First Street, from intersection of First East and First streets, east on First street to center of A street, thence north on A street to Third street, thence east on Third street to E street. Also commencing on Third street at intersection with B street, to Sixth street, thence east on Sixth street to city cemetery.

Third—Commencing at the intersection of Fourth South and Tenth East streets, thence south to Fifth South street, thence east on Fifth South street to the Mount Olivet cemetery.

Fourth—On North Temple street, from Fifth West street west to the city limits.

Fifth—On North Temple street west from East Temple street to West Temple street.

* Confirmed and made absolute January 20, 1901.

Sixth—On Fifth South street east from Fifth East street to Ninth East street.

Provided, that on First street, First East street, on A street between First and Second streets, on Tenth East street, on Fifth South street between Tenth and Eleventh East streets, and on North Temple street between East Temple and West Temple streets, said company be restricted to a single track and no switches unless authorized by the city council.

On the following conditions, viz.:

Such track or tracks to be laid on such grades as are now or may hereafter be established by the city council. In consideration of this franchise, the grantee, its successors and assigns aforesaid, are hereby required to keep in good repair with the same material and in the same manner as the rest of the street is or may be paved, the space inside the tracks, and a space two feet each side of the same, including all spaces between double tracks where the same may be constructed, and also to use no steam power unless the same be stationary, on any part of the road for propelling cars, unless permitted by the city council. And the grantee aforesaid shall place cars upon said railroad with all necessary modern improvements for the convenience and comfort of passengers, which shall be run thereon each and every day both ways, as often as the public convenience may require, and at a rate of speed not exceeding twelve miles per hour, and under such regulations as the city council may from time to time prescribe; Provided, that the grantee aforesaid shall comply with the directions of the city council in the construction of said railroad, and in any other matter connected with the regulation of the same, and that the track or tracks shall be constructed in the center of the streets, unless otherwise directed by the city council, and in such a manner as shall be approved by the street supervisor, the track to be laid and the road operated so as to cause no unnecessary impediment to the common and ordinary use of said streets for all purposes, and that the water-courses of said streets be left free and unobstructed; said track to be laid upon a good foundation, even with the surface of the roadway, and on such streets as are paved flat rails shall be used, and good and permanent

crossings shall be made by the grantee aforesaid at the intersection of streets and elsewhere wherever the same shall be necessary, at the discretion of the city council and under the direction and to the acceptance of the street supervisor. The price of a single passage shall not exceed five cents, and no charge shall be made in excess thereof; said company shall pay into the city treasury a per capita tax of 1 1-4 mills for each and every fare collected.

[Sections two, three and five are identical in language with similarly numbered sections in the resolution granting a franchise to the Salt Lake City Railroad company, passed January 26, 1889. See page 461.]

Sec. 4. That in the construction and operation of said railway the said grantee and its successors and assigns shall at all times conform to such ordinances, rules and regulations as have been or may hereafter be adopted by the city council of said city in relation to operating railroads, street railways or tramways in said city, and for each violation thereof they shall be liable to a fine in any sum not exceeding one hundred dollars.

That whenever the city council shall find it necessary or desirable to grant to any other street railroad company a franchise over any of the streets herein granted, to secure to such other company a connection with any important center or terminus, grantee herein shall allow running arrangements over grantee's tracks to such other company on streets where said grantee may have a double track, upon such other company making equitable payment for constructing, maintaining and operating the portion of said grantee's track so used.

Sec. 6. That if this grant, with the terms and conditions therein contained, be not accepted in writing by said grantee within thirty (30) days after the passage of this resolution, or if work be not commenced within sixty (60) days after said acceptance, then this grant shall become null and void.

The number of miles of track completed upon the lines hereinbefore described within six months after the passage of this resolution shall be credited to said company, and be deemed and accepted as in performance of the requirement

contained in section 6 of the resolution granting a franchise to said company, adopted February 11, 1890, to complete five miles of road within nine months after the acceptance of said grant, and all rights on that portion of streets herein granted on which said road is not actually constructed and operated within three years after such acceptance, shall at once be forfeited to the city.

Effective May 20, 1890.

A Resolution granting a franchise to the Salt Lake City Railroad company.

Section 1. Be it resolved by the city council of Salt Lake City: That the Salt Lake City Railroad company, its successors and assigns, have the authority and consent of the city council, and the permission is hereby granted it, to construct and operate by electric or cable motive power a single or double track street railroad, together with all the necessary switches for the accommodation of said road, on the following streets of said city, namely:

Commencing at the intersection of Ninth South and Seventh East streets, thence south on Seventh East street to the city limits, thence west on Roper street to Sixth East street.

On the following conditions, namely:

Such track or tracks to be laid on such grades as are now or may hereafter be established by the city council. In consideration of this franchise, the grantees, its successors and assigns aforesaid, are hereby required to keep in good repair with the same material and in the same manner as the rest of the street is or may be paved, the space inside the track, and a space two feet each side the same, including all spaces between double tracks where the same may be constructed, and also to use no steam power, unless the same be stationary, on any part of the road for propelling cars, unless permitted by the city council. And the grantees aforesaid shall place cars upon said railroad with all necessary modern

improvements for the convenience and comfort of passengers, which shall be run thereon each and every day both ways, as often as the public convenience may require, and at a rate of speed not exceeding twelve miles per hour, and under such regulations as the city council may from time to time prescribe; Provided, that the grantees aforesaid shall comply with the directions of the city council in the construction of said railroad, and in any other matter connected with the regulation of the same, and that the track or tracks shall be constructed in the center of the street, unless otherwise directed by the city council, and in such manner as shall be approved by the street supervisor, the track to be laid and the road operated, so as to cause no unnecessary impediment to the common and ordinary use of said streets, for all purposes; and that the water courses of said street be left free and unobstructed; said track to be laid upon a good foundation, even with the surface of the roadway; and good and permanent crossings shall be made by the grantees aforesaid at the intersection of streets and elsewhere wherever the same shall be necessary, at the discretion of the city council and under the direction and to the acceptance of the street supervisor; that when said streets shall be paved flat rails shall be used thereon. The price of a single passage shall not exceed 5 cents, and no charge shall be made in excess thereof; said company shall pay into the city treasury a per capita tax of 1 1-4 mills for each and every fare collected on said line.

[Sections two, three, four and five are identical in language with similarly numbered sections in the resolution granting a franchise to the Salt Lake City Railroad company passed January 26, 1889. See page 461.]

Sec. 6. That if this grant, with the terms and conditions therein contained, be not accepted in writing by said grantee within thirty (30) days after the passage of this resolution, and that if work be not commenced within three months and the road completed and in operation within one year after the acceptance of this grant, then this grant shall become null and void.

Effective September 23, 1890.

A Resolution confirming franchises granted to Salt Lake City Railroad company Feb. 11th, 1890.

Be it resolved by the city council of Salt Lake City: That, whereas, by Section six (6) of a resolution of the said city council entitled "A Resolution granting a franchise to the Salt Lake City Railroad company," adopted Feb. 11th, 1890.

The said Salt Lake City Railroad company was required to commence work within sixty days after the acceptance of said franchise, and were required to complete at least five miles of said road mentioned in said resolution, within nine months after said acceptance, and upon the failure thereof the grant and franchise made in said resolution, was to become null and void.

And Whereas, by Sec. six (6) of a resolution granting a franchise to the Salt Lake City Railroad company, passed May 20th, 1890, work was required to be commenced by said railroad company upon the lines therein specified within sixty (60) days after the acceptance of the grant therein contained, or the said grant was to become null and void.

And Whereas, It was further therein provided that the number of miles of track upon the lines described in said last named resolution constructed within six (6) months after the passage of said resolution, should be credited to said company, and be deemed and accepted as a performance of the requirements contained in the said section six (6) of the resolution granting a franchise to said company, adopted Feb. 11th, 1890, to complete five miles of road within nine months after the acceptance of said grant.

And Whereas, The said Salt Lake City Railroad company, within the time specified in said resolutions respectively, commenced work as therein provided, and completed more than five miles of road as therein required.

Now Therefore, be it resolved, that the franchise granted to said company in so far as a compliance of said conditions is concerned be, and the same is hereby confirmed and made absolute.

Effective Jan. 20th, 1891.

A Resolution granting a franchise to the Salt Lake City Railroad company.

Section 1. Be it resolved by the city council of Salt Lake City: That the Salt Lake City Railroad company, its successors and assigns, have the authority and consent of the city council, and the permission is hereby granted it, to construct and operate by electric or cable motive power, a single or double-track street railroad, together with all the necessary switches for the accommodation of said road, on the following streets of said city, namely:

First—Commencing at the intersection of First South street and Eighth West street, thence south along Eighth West street to the intersection of Second South street.

Second—Commencing at the intersection of Fourth East street and Ninth South street, thence south upon so much of Fourth East street as has been dedicated to public use for a street to the south boundary of Tenth South or Roper street.

[The remainder of this section, beginning with the words, "on the following conditions, viz:" is similar to the identical portion of section one of the resolution passed May 20, 1890, granting a franchise to Salt Lake City Railroad company. See page 464.]

[Sections two, three and five are identical in language with similarly numbered sections in the resolution granting a franchise to the Salt Lake City Railroad company, passed January 26, 1889. See page 461.]

Sec. 4. That in the construction and operation of said railway, the said grantee and its successors and assigns shall at all times conform to such ordinances, rules and regulations as have been or may hereafter be adopted by the city council of said city in relation to operating railroads, street railways or tramways in said city, and for each violation thereof they shall be liable to a fine in any sum not exceeding one hundred dollars.

That whenever the city council shall find it necessary or desirable to grant to any other street railroad company a fran-

chise over any of the streets herein granted, to secure to such other company a connection with any important center or terminus, the grantee herein shall allow running arrangements over grantee's tracks to such other company, upon such other company making equitable payment for constructing, maintaining and operating the portion of said grantee's tracks so used.

Sec. 6. That if this grant, with the terms and conditions therein contained, be not accepted in writing by said grantee within thirty (30) days after the passage of this resolution, or if work be not commenced within sixty (60) days, and the road completed and in operation within two years after said acceptance, then this grant shall become null and void.

Effective May 5, 1891.

A Resolution granting a franchise to the Salt Lake City Railroad company.

Section 1. Be it resolved by the city council of Salt Lake City: That the Salt Lake City Railroad company, its successors and assigns, have the authority and consent of the city council, and the permission is hereby granted it, to construct and operate by electric or cable motive power a single track street railroad, together with all the necessary switches for the accommodation of said road, on the following streets of said city, namely:

First—From the intersection of East Temple street and First North street, thence along Center street to the intersection of First West street.

Second—From the intersection of East Temple street and First North street, thence north along East Temple or Arsenal street to Currant street.

Third—From the southwest corner of what is designated the Arsenal block in "W. H. Whitney's map of Salt Lake City and environs, 1890," thence east along the street on the south side of said Arsenal block into the street on the east side

thereof; thence north along said street to the center of Currant street.

On the following conditions, viz.:

Such track or tracks to be laid on such grades as are now or may hereafter be established by the city council. In consideration of this franchise, the grantee, its successors and assigns aforesaid, are hereby required to keep in good repair, with the same material and in the manner as the rest of the street is or may be paved, the space inside the tracks, and a space two feet each side of the same, including all spaces between double tracks where the same may be constructed, and also to use no steam power, unless the same be stationary, on any part of the road for propelling cars, unless permitted by the city council. And the grantee aforesaid shall place cars upon said railroad with all necessary modern improvements for the convenience and comfort of passengers, which shall be run thereon each and every day both ways, as often as the public convenience may require, and at a rate of speed not exceeding twelve miles per hour, and under such regulations as the city council may from time to time prescribe; Provided, that the grantee aforesaid shall comply with the directions of the city council in the construction of the said railroad and its switches, and in any other matter connected with the regulation of the same, and that the track or tracks shall be constructed in the center of the streets, unless otherwise directed by the city council, and in such a manner as shall be approved by the street supervisor, and that the trolley wire (if electricity be used) shall be suspended from wires attached to poles at or near the curb line of the street, the track to be laid and the road operated so as to cause no unnecessary impediment to the common and ordinary use of said streets for all purposes, and that the water courses of said streets be left free and unobstructed; said track to be laid upon a good foundation, even with the surface of the roadway, and whenever streets shall be paved flat rails shall be used on such streets, and that good and permanent crossings shall be made by the grantee aforesaid at the intersection of streets and elsewhere wherever the same shall be necessary, at the discretion

of the city council and under the direction and to the acceptance of the street supervisor. The price of a single passage shall not exceed ten cents and no charge shall be made in excess thereof; said company shall pay into the city treasury a per capita tax of 1 1-4 mills for each and every fare collected.

[Sections two and three are identical in language with similarly numbered sections in the resolution granting a franchise to the Salt Lake City Railroad company passed January 26, 1889. See page 461.]

Sec. 4. That in the construction and operation of said railway, the said grantee, and its successors and assigns, shall at all times conform to such ordinances, rules and regulations as have been or may hereafter be adopted by the city council of said city in relation to operating railroads, street railways or tramways in said city, and for each violation thereof they shall be liable to a fine in any sum not exceeding one hundred dollars. That whenever the city council shall find it necessary or desirable to grant to any other street railroad company a franchise over any of the streets herein granted, to secure to such other company a connection with any important center or terminus, the grantee herein shall allow running arrangements over grantee's tracks to such other company upon such other company making equitable payment for constructing, maintaining and operating the portion of said grantee's track so used.

Sec. 5. That Salt Lake City shall in no way be liable or responsible for any accident or damage that may occur in the construction or operation of said railway by reason of the default or misconduct of the grantee and its successors and assigns or their employes, and the acceptance of this grant shall be deemed an agreement on the part of said grantee, for itself and its successors and assigns, to save the said city harmless from and against all liability, loss, costs, expense or damage of any nature arising out of any such default or misconduct, or which may accrue by reason of any accident or injury which may occur in or by reason of the construction or operation of said railway, and to indemnify and repay said city for any loss, costs, expense or damage of any kind it may sustain by reason

of any such default, misconduct, accident or injury; and if any judgment for damages for any such default, misconduct, accident or injury shall be recovered against said city, the recovery thereof and the judgment therefor shall be final as between the said city and the said grantee and its successors and assigns, and conclusive as to the liability of the latter to the former; Provided, said grantee has had notice of the pendency of the suit in which said judgment is recovered, and had been given an opportunity to defend the same.

Sec. 6. That if this grant, with the terms and conditions therein contained, be not accepted in writing by said grantee within thirty (30) days after the passage of this resolution, or if work be not commenced within ninety days, and the road along Center street, from First North street to First West street, completed within twelve months after said acceptance, this grant shall become null and void; and as to all streets herein granted, upon which the road shall not be completed and in operation within eighteen months after the date of said acceptance, this grant shall become null and void.

Effective September 8, 1891.

A Resolution granting a franchise to the Salt Lake City Railroad company.

Section 1. Be it resolved by the city council of Salt Lake City: That the Salt Lake City Railroad company, its successors and assigns have the authority and consent of the city council, and the permission is hereby granted it, to construct and operate by electric or cable motive power a double track street railroad, together with all the necessary switches and turnouts for the accommodation of said road, on the following streets of said city, namely:

From the center of the intersection of First South street and West Temple street, thence south on West Temple street to Tenth South or Roper street; thence east on Tenth South or Roper street to the center of East Temple or Main street;

On the following conditions, viz.: Such track or tracks to

be laid on such grades as are now or may hereafter be established by the city council. In consideration of this franchise the grantee, its successors and assigns aforesaid, are hereby required to keep in good repair with the same material and in the manner as the rest of the street is, or may be, paved, the space inside the tracks, and a space two feet each side of the same, including all spaces between double tracks where the same may be constructed; and also to use no steam power, unless the same be stationary, on any part of the road for propelling cars, unless permitted by the city council. And the grantee aforesaid shall place cars upon said railroad with all necessary modern improvements for the convenience and comfort of passengers, which shall be run thereon each and every day, both ways, as often as the public convenience may require, and at a rate of speed not exceeding twelve miles per hour, and under such regulations as the city council may from time to time prescribe; Provided, that the grantee aforesaid shall comply with the directions of the city council in the construction of the said railroad, and its switches and turnouts, and in any other matter connected with the regulation of the same, and that the track or tracks shall be constructed in the center of the streets, unless otherwise directed by the city council, and in such a manner as shall be approved by the street supervisor; the track to be laid and the road operated so as to cause no unnecessary impediment to the common and ordinary use of said streets for all purposes, and that the water courses of said streets be left free and unobstructed; said track to be laid upon a good foundation even with the surface of the roadway, and whenever streets shall be paved flat rails shall be used on such streets; and that good and permanent crossings shall be made by the grantee aforesaid at the intersection of streets and elsewhere, wherever the same shall be necessary, at the discretion of the city council, and under the direction and to the acceptance of the street supervisor. The price of a single passage shall not exceed ten cents, and no charge shall be made in excess thereof. Said company shall pay into the city treasury a per capita tax of one and one-quarter mills for each and every fare collected.

[Sections two, three and five are identical in language with similarly numbered sections in the resolution granting a franchise to the Salt Lake City Railroad company, passed January 26, 1889. See page 461.]

[Section four is identical in language with section four in the resolution granting a franchise to the Salt Lake City Railroad company, passed September 8, 1891. See page 472.]

Sec. 6. That if this grant, with the terms and conditions therein contained, be not accepted in writing by said grantee within thirty (30) days after the passage of this resolution, or if work be not commenced within ninety days, and the road completed and in operation within one year after said acceptance, then this grant shall become null and void.

Effective November 24, A. D. 1891.

L. C. HAMILTON.

A Resolution granting a franchise to L. C. Hamilton.

Section 1. Be it resolved by the city council of Salt Lake City: That L. C. Hamilton, his heirs and assigns, have the authority and consent of the council, and the permission is hereby granted, to construct, maintain and operate a single or double-track street railway, as hereinafter specified, to be operated by steam dummy, horse, electric or cable power, with all the necessary or convenient switches, side tracks, turnouts and cross-over tracks, on the following streets and roads of Salt Lake City, to-wit:

Commencing at the intersection of Sixth West and Second South streets, and running thence west along Second South street to the west boundary line of section three (3), township one (1) south, of range one (1) west, Salt Lake meridian.

NOTE—The above ordinance is printed as amended by act of May 1, 1901.

Such track or tracks to be laid on such grades as are now or may hereafter be established by the city council. In consideration of this franchise the grantee, his heirs and assigns aforesaid, are hereby required to pave and keep in repair the space inside and between the tracks, and a space of two feet on each side of the same, with the same material as is used now or may hereafter be used on the street where such track is laid; and the grantee aforesaid shall place cars upon said railroad, with all necessary modern improvements for the convenience and comfort of passengers, which shall be run thereon each and every day, both ways, as often as the public shall require, at a rate of speed not exceeding twelve miles per hour, and under such regulations as the city council may from time to time prescribe; Provided, that the grantee aforesaid shall comply with the directions of the city council in the construction of said railroad, and in any other matters connected with the regulation of the same; and that the track or tracks shall be constructed in the center of the streets, unless otherwise directed by the city council, and in such manner as shall be approved by the street supervisor; the track to be laid and the road to be operated so as to cause no unnecessary impediment to the common and ordinary use of said streets for all purposes; and that the water courses of said streets shall be left free and unobstructed; said track to be laid on good foundation even with the surface of the roadway; and good and permanent crossings shall be made by the grantee aforesaid at the intersection of the streets and elsewhere whenever the same shall be necessary, at the discretion of the city council and under the direction and to the acceptance of the street supervisor; and upon such portion of streets herein granted as are only partially graded, said grantee shall so grade said streets as to give trackage to vehicles equivalent to the portion occupied by said grantee, and all tracks constructed by said grantee wherever streets shall be paved shall be with the flat rail; and upon such streets as are but four rods wide said grantee shall construct no more than one track, and no switches, unless authorized by the city council; and the space between double tracks, or between main track or any switches, shall not exceed seven

feet, unless authorized by the city council. The price of a single passage shall not exceed ten cents, and no charge shall be made in excess thereof. Said grantee shall pay into the city treasury a per capita tax of one and one-quarter mills for each and every fare collected, payable quarterly.

Sec. 2. That this franchise is granted for the term of twenty years from the date of the passage of this resolution, and accepted on the following conditions, viz.: That if the grantee, his heirs and assigns, shall fail to perform all the stipulations of this resolution, the city council, after sixty days' notice, and on failure on the part of said grantee, his heirs or assigns, to provide a remedy or make satisfactory arrangements therefor, may, by a majority vote, declare the privileges herein granted forfeited, and proceed to take possession of the road-bed and control the same, as if this resolution had not passed.

Sec. 3. That nothing in this grant shall be so construed as to prevent Salt Lake City, or its authorized agents, from sewerage or laying gas and water mains or pipes, altering, repairing or in any manner improving any of the streets mentioned herein, or any other streets of said city; but all such improvements shall be made with as little injury as practicable to said railway and the operating thereof.

Sec. 4. That in the construction and operation of said railroad the grantee, and his heirs and assigns, shall at all times conform to such ordinances, rules and regulations as have been, or may hereafter be, adopted by the city council of said city in relation to operating railroads, street railways or tramways in said city, and for each violation thereof they shall be liable to a fine in a sum not exceeding one hundred dollars.

Sec. 5. That whenever the city council shall find it necessary or desirable to grant to any other street railway company a franchise over the street herein granted, to secure such other company a connection with any important center or terminus, the grantee herein shall allow running arrangements over grantee's tracks to such other company where said grantee have double tracks, upon such other company making equit-

able payment for constructing, maintaining and operating the portion of said grantee's track so used.

Sec. 6. That Salt Lake City shall in no way be liable or responsible for any accident or damage that may occur in the construction or operation of said railway by reason of the default or misconduct of said grantee, his successors and assigns, or their employes, and the acceptance of this grant shall be deemed an agreement on the part of said grantee for himself, his heirs and assigns to save the said city harmless from and against all liabilities, loss, costs, expenses and damage of any nature, arising out of any such default or misconduct, or which may accrue by reason of any accident or injury which may occur in or by reason of the construction or operation of said railway, and to indemnify and repay said city for any loss, costs, expense or damage of any kind it may sustain by reason of any such default, misconduct, accident or injury, and in case any judgment should be recovered against said city for any such default, misconduct or accident, the recovery thereof and the judgment therefor shall be final as between the said city and the said grantee and his successors and assigns, and conclusive as to the liability of the latter to the former; Provided, said grantee has had notice of the pendency of the suit in which judgment is recovered, and has been given an opportunity to defend the same.

Sec. 7. That the city council may order a change of motive power from the steam dummy to the electric, cable or other system, whenever in the judgment of the city council public interest demands a change, and it shall be the duty of the grantee herein to make such change within six months from the date of such order.

Sec. 8. That if this grant, with the terms and conditions herein contained, be not accepted in writing by said grantee within thirty days after the passage of this resolution, or if work shall not be commenced within sixty days after said acceptance, or if work be not completed on the streets and roads hereinbefore designated and the road be operated within twelve months after said acceptance, then this grant and franchise shall become null and void. And all rights on that por-

tion of streets herein granted, on which said road is not actually constructed and operated within one year after such acceptance, shall at once be forfeited to the city.

Effective January 20, 1891.

***Assignment.**

This indenture, made the 24th day of April, A. D. 1891, between L. C. Hamilton of the city and county of Salt Lake, Territory of Utah, the party of the first part, and Salt Lake City Railroad company a corporation of the same place, and party of the second part.

Witnesseth: That the said party of the first part, for, and in consideration of the sum of one dollar, to him in hand paid by said party of the second part, and other valuable consideration to him from said second party moving, does by these presents grant, bargain, sell, convey, confirm, transfer and set over unto the said party of the second part, its successors and assigns forever, all those certain rights, privileges and franchises of any and every kind now or heretofore owned, held or possessed by said party of the first part, by, through, or under that certain resolution of the city council of Salt Lake City, Utah Territory, passed January 20th, 1891, and now of record in the office of the city recorder of Salt Lake City, in a certain book of ordinances and resolutions marked "February, 1876," upon pages 527 to 531 inclusive, which resolution so of record is hereby referred to and made a part of this indenture.

Together with all the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining.

And said party of the first part, for himself, his heirs, executors and administrators, does hereby covenant and agree to and with said party of the second part, its successors and assigns, that he has not made, done, committed, executed or suffered any act or acts, thing or things whatsoever, whereby, or by means whereof, the said rights, privileges or franchises so granted as aforesaid by the city council of Salt Lake City, to himself now are, or at any time hereafter shall, or may be impeached, charged or incumbered in any manner whatsoever.

NOTE—The above transfer does not appear of record in the city recorder's office.

In witness whereof, the said party of the first part has hereunto set his hand and seal, the day and year first above written.

(Seal.)

L. C. HAMILTON.

Signed, sealed and delivered in the presence of W. J. Miles.

Territory of Utah, }
County of Salt Lake, } ss.

On this thirteenth day of May, A. D. 1891, personally appeared before me, W. J. Miles, a Notary Public for said county, L. C. Hamilton, personally known to me to be the person named in, and who executed the foregoing instrument, and who duly acknowledged to me that he executed the same freely and voluntarily for the uses and purposes therein set forth.

Witness my hand and notarial seal the day and year in this certificate above written.

(Seal)

W. J. MILES,
Notary Public.

My commission as notary expires March 5th, 1892.

An Ordinance re-enacting and confirming certain resolutions granting franchises to the Salt Lake City Railroad company, and amending the same.

Whereas, The Salt Lake City Railroad company is the owner of certain lines of street railway in the city of Salt Lake, and is and has been engaged in the operation of the same under and by virtue of certain resolutions and ordinances hereinafter more particularly described, and

Whereas, Questions have heretofore arisen between the city and said railroad company respecting the duties and obligations of said company as to the paving and repaving of the streets upon which said line of Railway is constructed; and,

Whereas, The said company has heretofore requested this council to grant to it an extension of the rights and privileges by it had and enjoyed under said resolutions and ordinances.

Now, therefore, for the purpose of settling and determining the questions which have heretofore arisen between said city and said company as aforesaid, and of fixing the liability and duty of said company in the premises, be it ordained by the city council of Salt Lake City, as follows, to-wit:

Section 1. That certain resolutions heretofore passed and adopted by the mayor and city council of Salt Lake City, granting certain rights and privileges for the construction and operation of a line or lines of street railway upon the streets of Salt Lake City, to-wit: "A resolution, granting a franchise to the Salt Lake City Railroad company," passed and adopted February 26th, 1889; "A Resolution, granting a franchise to the Salt Lake City Railroad company," passed and adopted February 11th, 1890; "A resolution, granting a franchise to the Salt Lake City Railroad company," passed and adopted May 20th, 1890; "A resolution, granting a franchise to the Salt Lake City Railroad company," passed and adopted May 5th, 1891; "A resolution, granting a franchise to the Salt Lake City Railroad company," passed and adopted September 8th, 1891; "A resolution, granting a franchise to the Salt Lake City Railroad company," passed and adopted November 24th, 1891; "A resolution, granting a franchise to L. C. Hamilton," passed and adopted January 20th, 1891; be and each of them is amended by striking out from Section 2 of each of said resolutions the words "of twenty years from the date of the passage of this resolution," and substituting in lieu thereof the words "until the first day of January, A. D. 1918."

Sec. 2. That the resolutions mentioned in Section 1 of this ordinance and each of them, be and the same are each further amended by inserting therein the following provision, to-wit: "That the grantee herein, or its assigns, shall be required to pave or repave, at its own cost, all the space between the rails of each track, and also a space between its different rails and tracks and between all the double tracks, and also a space of two feet wide outside of the outside rail of the out-

side tracks, and the track herein referred to shall include not only the main track, but also all side-tracks, crossings and turnouts, used by said company, and when any street or alley shall be occupied by the company and also by any other company, with separate tracks, then each of said companies shall pave, repave and keep in repair its proportion of the surface of the street or alley as hereinbefore required. Said outside rail to be construed to mean the outside rail of the main tracks, double tracks, side-tracks, turnouts or crossings used by said company." Said paving or repaving by the grantee herein shall be done at the same time and shall be of the same material and character as the paving or repaving of the streets or alley upon which said railway track, or tracks, are located unless other material is specially permitted by the board of public works; and provided, that the price of a single passage shall not exceed five cents within the corporate limits of the city and no charge shall be made in excess thereof, notwithstanding the limits of said city may hereafter be extended.

Sec. 3. The said company shall pay into the city treasury annually as a license tax for this franchise and in addition to the ordinary tax levy under the Territorial Laws, a sum equal to one per cent of the gross earnings of said company during a period of five years next succeeding the passage of this ordinance, and a sum equal to one and one-half per cent of its gross earnings annually during the second period of five years after the passage of this ordinance, and after ten years the said company shall pay annually into the treasury of the city a license equal to two per cent upon its gross earnings. And for the purpose of enabling the city council to arrive at the amount of such license tax said company shall make to the city council on the first day of January of each year a statement verified by the oath of some officer of said company showing the gross earnings of said company from all its lines in the city for the year immediately preceding the making of said report.

Sec. 4. That whenever the city council shall find it necessary or desirable to grant any other street railway company a franchise over the streets herein granted to secure such

other company a connection with any important center or terminus, the grantee herein shall allow running arrangements over grantee's tracks to such other company where said grantees have double tracks upon such other company making equitable payment for constructing, maintaining and operating the portion of said grantee's track so used.

Sec. 5. That the resolutions mentioned in Section 1 of this ordinance amended as provided in Sections 1, 2, 3 and 4 hereof, be and each of them, are hereby re-enacted and made operative from the date of the passage of this ordinance.

Sec. 6. That if this grant be not accepted in writing by the grantees or their assigns within twenty (20) days after the passage of this ordinance, then the same shall be and become void and of no effect.

Effective May 5, 1893.

An Ordinance amending and re-enacting certain resolutions granting franchises to the Salt Lake City Railroad company.

Whereas, the Salt Lake City Railroad company is the owner of certain lines of street railway in the city of Salt Lake, and is and has been engaged in the operation of the same under and by virtue of certain resolutions and ordinances hereinafter more particularly described; and

Whereas, Questions have heretofore arisen between the city and said railroad company respecting the duties and obligations of said company as to the payment of license tax and the paving and repaving of the streets upon which said lines of railroad are constructed; and,

Whereas, The said company has heretofore requested this council to grant to it an extension of the rights and privileges by it had and enjoyed under said resolutions and ordinances.

Now, therefore, for the purpose of determining the questions which have arisen between the city and said company as aforesaid, and of fixing the liability and duties of said company in the premises,

Be it ordained, by the mayor and city council of Salt Lake City, as follows, to-wit:

Section 1. That certain resolutions heretofore passed and adopted by the mayor and city council of Salt Lake City, granting rights and privileges for the construction and operation of a line or lines of street railway upon the streets of Salt Lake City, to-wit:

Resolutions granting franchises to the Salt Lake City Railroad company, passed and adopted February 26th, 1889; February 11th, 1890; May 20th, 1890; September 23rd, 1890; May 5th, 1891; September 8th, 1891; November 24th, 1891; and resolutions granting a franchise to L. C. Hamilton, passed and adopted January 20th, 1891, be and each of them is amended by striking out from section 2 of each of said resolutions the words "of twenty (20) years from the date of the passage of this resolution," and substituting in lieu thereof the words "of fifty (50) years from January 1st, A. D. 1894."

Sec. 2. And said resolutions and each of them are further amended by striking out from the first section of each of said resolutions the provisions requiring the grantee to pay into the city treasury a per capita tax of one and one-fourth (1 1/4) mills for each and every fare collected wherever the same may occur, and by inserting in lieu of such provision the following, to-wit:

"The said grantee shall pay into the city treasury annually a license tax of twenty-five (\$25) dollars per car for the average number of motor cars operated upon its lines, but otherwise said company shall not be liable to any per capita tax or license."

But this clause shall not be deemed as an exemption of said company from paying the regular territorial, county, school and municipal taxes as the same may be levied or assessed.

Sec. 3. That the resolutions mentioned in section 1 of this ordinance be and the same are hereby amended by inserting therein the following provisions, to-wit:

"Said company shall be required to pave or repave, at its own expense and cost all space between its different rails or

tracks, and also a space two feet wide on the outside of the rails of the outside tracks, and the tracks herein referred to shall include not only the main tracks but also all side tracks, crossings and turn outs used by said company. Such paving or repaving by the said railroad company shall be at the same time and shall be of the same material and character as are proper for the repaving of the streets or alleys on which said railroad track or tracks are paved and located, unless other material be specially ordered by the board of public works. Provided, that where the said company has double tracks on the same street and it be required, for the accommodation of some other corporation or person, to lay its tracks a greater distance apart than it would be required to do but for the accommodation of such other corporation or person, then in that event the said railroad company shall not be liable for or required to pave such additional distance."

Sec. 4. The price of a single passage within the city limits shall not exceed five cents and no charge shall be made in excess thereof excepting where the passage or some portion thereof shall be over any part of the line of the grantee lying within the limits of Fort Douglas military reservation so long as said reservation shall exist and in case its boundaries shall hereafter be reduced in area the above exception shall apply only to such area.

Sec. 5. The grantee shall be liable for all accidents to people or injury to property whether of the city or private parties in the construction and operation of its said railroad occasioned by its misconduct, negligence or default, and particularly in the use of electricity thereon, and the said company shall at all times be required to use such reasonable and approved methods as are then in successful use by cities of approximately the same size as Salt Lake City, and as shall at any time be requested by the city council and the board of public works for the protection of the public and its property against injury caused by the use of electricity as motive power; and if deemed necessary by the said city council and the board of public works the said company shall have, make and maintain a complete metallic circuit of such approved kind

as shall be used and adopted and proven by experience to be proper and reasonable.

Sec. 6. The rights and privileges hereby given and all restrictions and limitations herein contained shall be deemed a part of and run with this grant and shall be operative so long as the privileges and franchises herein given shall exist, and in case the corporate limits of the city shall in the future be extended, all the lines of said company, within the corporate boundary as so enlarged, shall become and be subject to the terms and conditions of the charters of said company as amended by this ordinance the same as if said lines were now within the corporate limits.

Sec. 7. That all ordinances, resolutions and parts thereof, in conflict with the provisions of this ordinance, are hereby repealed and the resolutions mentioned in section 1 of this ordinance amended as herein provided are hereby re-enacted and made operative from the date of the passage of this ordinance.

Sec. 8. If this grant be not accepted in writing by the grantee within 20 days after the passage of this ordinance the same shall become void and of no effect.

Effective April 18, 1894.

A Resolution granting a franchise to the Salt Lake City Railroad company.

Section 1. Be it ordained by the city council of Salt Lake City: That the Salt Lake City Railroad company, its successors and assigns have the authority and consent of the city council, and the permission is hereby granted it, to construct and operate by electric or compressed air motive power, a double-track street railroad, together with all the necessary switches and turn-outs for the accommodation of said street railroad upon the following streets of this city, namely:

From the center of the intersection of Third street and "U" street to the center of the intersection of South Temple

street and "U" street, thence southerly and southward along Thirteenth East street to the south boundary of the city limits of Salt Lake City; also commencing at the intersection of Ninth South street and Seventh East street south along Seventh East street to south boundary of the city.

Upon the following conditions, namely:

Such track or tracks to be laid on such grades as are now or may hereafter be established by the city council.

In consideration of this franchise, the grantee, its successors and assigns aforesaid, are hereby required to pave and keep in good repair, with the same material and in the same manner as the rest of the street is or may be paved, the space inside the tracks and two feet outside of the same, including all spaces between double tracks where the same may be constructed; and also to use no steam power unless the same be stationary, on any part of the road for propelling cars, unless permitted by the city council.

And the grantee aforesaid, its successors and assigns, shall place cars upon said railroad with all the necessary modern improvements for the convenience and comfort of passengers, which shall be run upon every part thereof excepting the portion between South Temple and First South streets each and every hour, both ways, or as often as the city council may require, for a period of fourteen hours each day; Provided, That said company shall run a car each way every fifteen minutes between First South and Fourth streets on Thirteenth East, but it shall not be required to run any oftener than fifteen minutes each way between Third street and South Temple on U street and between First South and Fifth South streets on Thirteenth East street, at a rate of speed not exceeding twelve miles per hour, and under such regulations as the city council may from time to time prescribe; provided that the grantee aforesaid shall comply with the directions of the city council in the construction of said railroad and its switches and turn-outs and in any other matter connected with the regulation of the same, and that the track or tracks shall be constructed in the center of the street unless otherwise directed by the city council, and in such manner as shall be

approved by the street supervisor, the track to be laid and the road operated so as to cause no impediment to the common and ordinary use of said street for all purposes, and that the water courses of said streets be left free and unobstructed; said tracks to be laid upon a good foundation, even with the surface of the roadway, and whenever the streets shall be paved, suitable rails shall be used on such streets, and that good and permanent crossings shall be made and maintained in good condition by the grantee aforesaid, at the intersections of streets and elsewhere whenever the same shall be necessary, at the discretion of the city council, and under the direction and to the acceptance of the street supervisor. The price of a single passage shall not exceed five cents, and no charge shall be made in excess thereof.

The said grantee shall pay into the city treasury, annually, a license tax of thirty-five dollars per car for the average number of cars operated upon this line, but otherwise said company shall not be liable to any per capita tax or other license.

Sec. 2. That this franchise is granted for a term of forty-five years from the date of the passage of this resolution, and accepted on the following conditions, namely: That if for any reason the said grantee, its successors or assigns, fails or refuses to conform to any of the provisions of this franchise, then said franchise may be revoked by resolution of the city council passed by an affirmative vote of a majority of all the members thereof; and upon the passage of such resolution as aforesaid, said franchise shall at once become null and void; and the city shall thereupon have the absolute right to enter the streets of said city and take possession and remove therefrom, all poles, wires, tracks and other appliances therewith connected, belonging to said grantee, and at its expense.

And the said grantee hereby waives and relinquishes any and all claim or claims for damages against said city and any of its officers, agents, servants or employes for or on account of such entry or removal.

Sec. 3. That nothing in this grant shall be so construed as to prevent Salt Lake City, or its authorized agents, from

paving, sewerage, laying gas or water mains or pipes, altering, repairing, or in any manner improving any of the streets mentioned herein, or any other streets of said city, but all such improvements shall be made with as little injury as practicable to said railway and the operating thereof.

Sec. 4. That in the construction and operation of said railway the said grantee, and its successors and assigns, shall at all times conform to such ordinances, rules and regulations as have been, or may hereafter be adopted by the city council of said city, in relation to operating railroads, street railways or tramways in said city, and for each violation thereof they shall be liable to a fine in any sum not exceeding one hundred dollars.

That whenever the city council shall find it necessary or desirable to grant to any other street railroad company a franchise over any of the streets herein granted, to secure to such other company a connection with some important center or terminus, the grantee herein shall allow running arrangements over grantee's tracks to such other company upon such other company making equitable payment for constructing, maintaining and operating the portion of said grantee's tracks so used.

Sec. 5. That Salt Lake City shall in no way be liable or responsible for any accident or damage that may occur in the construction or operation of said railway by reason of the default or misconduct of the grantee, or its successors or assigns, or their employes; and the acceptance of this grant shall be deemed an agreement on the part of said grantee, for itself and its successors or assigns, to save said city harmless from and against all liability, loss, costs, expense or damage of any nature arising out of any such default or misconduct, or which may accrue by reason of any accident or injury which may occur in or by reason of the construction or operation of said railway, and to indemnify and pay said city for any loss, costs, expense or damage of any kind it may sustain by reason of any such default, misconduct, accident or injury that shall be recovered against said city, the recovery thereof and the judgment therefor shall be final as between the said city and the

said grantee, and its successors and assigns, and conclusive as the liability of the latter to the former.

The grantee shall be liable for all accidents to people or injury to property whether of the city or private parties in the construction and operation of its said railroad, occasioned by its misconduct, negligence or default, and particularly in the use of electricity thereon, and the said company shall at all times be required to use such reasonable and approved methods as are then in successful use by cities of approximately the same size as Salt Lake City, and as shall at any time be requested by the city council or the board of public works for the protection of the public and its property against injury caused by the use of electricity as motive power; and if deemed necessary by the said city council or board of public works the said company shall have, make and maintain a complete metallic circuit of such approved kind as shall be used and adopted and proven by experience to be proper and reasonable.

Sec. 6. If this grant, with the terms and conditions herein contained, be not accepted in writing by said grantee within thirty days after the passage of this resolution, or if the work be not commenced within thirty days, and the road completed and in operation on said Thirteenth East street from First South street to Fourth South street within sixty days after said acceptance; and if the line on "U" street and on Thirteenth East street, from Fourth South street to said Fifth South street, be not completed and in operation within one year from date of acceptance and all the road completed and in operation within two years after said acceptance, then this grant, as to such portion or portions of the streets upon which the road shall not be completed, shall become null and void.

Effective May 26, 1899.

A Resolution granting a franchise to the Salt Lake City Railroad company.

Be it ordained by the city council of Salt Lake City, Utah:
Section 1. That the Salt Lake City Railroad company,

its successors and assigns, have the authority and consent of the city council, and the permission is hereby granted it, to construct and operate a double-track street railroad, together with all necessary turnouts and switches for the accommodation of said street railroad, to be operated by compressed air or electric motive power, upon the following streets of this city, namely :

From the center of the intersection of Third street and U street to the center of the intersection of South Temple and U street, thence southerly and southward along Thirteenth East street to Fifth South street.

Upon the following conditions, namely: Such track or tracks to be laid and maintained on such grades as are now, or may hereafter be, established by the city council.

In consideration of this franchise, the grantee, its successors and assigns aforesaid, are hereby required to pave and keep in good repair, with the same material, and in the same manner as the rest of the street is, or may be paved, the space inside of the track and two feet outside of the same, including all space between double tracks, where the same may be constructed; and also to use no steam power, unless the same be stationary, on any part of the road for propelling cars, unless permitted by the city council.

And the grantee aforesaid, its successors and assigns, shall place cars upon said railroad with all the necessary modern improvements for the convenience, comfort and safety of passengers, which shall be run upon every part thereof daily, at least once each way every fifteen minutes for a period of twelve hours each day, or as much oftener as public convenience may require; and shall further, during such time as the First South street cars shall be run upon Thirteenth East street, between First and Second South streets, give the same service upon said portion of Thirteenth East street as shall be given upon First South street; (Provided, that said grantee aforesaid shall not be required to run cars any oftener than once a day both ways on Thirteenth East street, between South Temple and First South streets) at a rate of speed not exceeding twelve miles per hour, and under such regulations

as the city council may from time to time prescribe: Provided, that the grantee aforesaid shall comply with the directions of the city council in the construction of said railroad, and its switches and turnouts, and in any matter connected with the same, and that the track or tracks shall be constructed in the center of the street, unless otherwise directed by the city council, and in such manner as shall be approved by the street supervisor; the track to be laid and road operated so as to cause no impediment to the common and ordinary use of such streets for all purposes, and that the water-courses of said street shall be kept free and unobstructed; said tracks to be laid upon a good foundation, even with the surface of the roadway, and whenever the streets shall be paved, suitable rails shall be used on such streets, and that good and permanent crossings shall be made and maintained in good condition by the grantee aforesaid, at the intersections of streets and elsewhere, whenever the same shall be necessary, at the discretion of the city council, and under the supervision and to the acceptance of the street supervisor. The price of a single passage shall not exceed five cents, and no charge shall be made in excess thereof.

The said grantee shall pay into the city treasury, annually, a license tax of twenty-five dollars per car for the average number of motor cars operated upon the line, but otherwise said company shall not be liable to any per capita tax or other license upon the rights herein granted.

Sec. 2. This franchise is granted for a term of forty-five years from the date of the passage of this resolution, and accepted on the following conditions, namely: That if for any reason the said grantee, its successors or assigns, fails and refuses to conform to any of the provisions of this franchise, then said franchise may, upon notice, be revoked by a resolution of the city council, passed by an affirmative vote of a majority of all the members thereof; and upon the passage of such resolution as aforesaid, said franchise shall at once become null and void; and the city shall thereupon have the absolute right to enter the streets of said city and take possession and remove therefrom all poles, wires, tracks and other

appurtenances therewith connected, belonging to said grantee, and at its expense.

And the said grantee hereby waives and relinquishes any and all claim or claims for damages against said city and any of its officers, agents, servants or employes, for, or on account of, such entry or removal.

Sec. 3. That nothing in this grant shall be so construed as to prevent Salt Lake City, or its authorized agents, from paving, sewerage, laying gas or water pipes, altering, repairing or in any manner improving any of the streets herein mentioned, or any other streets of said city, but all such improvements shall be made with as little injury as practicable to said railway and the operation thereof.

Sec. 4. That in the construction and operation of said railway, the said grantee, its successors and assigns, shall at all times conform to such ordinances, rules and regulations as have been, or may hereafter be, adopted by the city council of Salt Lake City, in relation to operating railroads, street railways or tramways in said city, and for each violation thereof they shall be liable to a fine in any sum not exceeding one hundred dollars.

Sec. 5. That Salt Lake City shall in no way be responsible for any accident or damage that may occur in the construction or operation of said railway, by reason of the default or misconduct of the grantee, or its successors or assigns, or their employes; and the acceptance of this grant shall be deemed an agreement on the part of said grantee, for itself and its successors and assigns, to save said city harmless from and against all liability, loss, cost, expense or damage of any nature, arising out of any such default or misconduct, or which may accrue by reason of any accident or injury which may occur in, or by reason of, the construction or operation of said railway, and to indemnify and pay said city for any loss, costs, expenses or damage of any kind it may sustain by reason of any such default, misconduct, accident or injury, that shall be recovered against said city, and the recovery thereof and the judgment therefor shall be final as between

said city and said grantee, and its successors and assigns, and conclusive as to the liability of the latter to the former.

The grantee shall be liable for all accidents to people or injury to property, whether of the city or of private parties, in the construction and operation of its said railroad, occasioned by its misconduct, negligence or default, and particularly in the use of electricity therefor, and the said company shall at all times be required to use such reasonable and approved methods as are then in successful operation in cities of approximately the same size as Salt Lake City, and as shall at any time be requested by the city council or board of public works, for the protection of the public and its property against injury, caused by the use of electricity as motive power.

Sec. 6. If this grant, with the terms and conditions herein contained, be not accepted in writing by said grantee within thirty days after the passage of this resolution, or if the work be not commenced within thirty days, and the road in operation on said Thirteenth East street from First South street to the south side of Second South street, within sixty days from the granting of said franchise; and if all of the road be not completed and in operation within two years after said acceptance, then this grant, as to such portion or portions of the streets upon which the road shall not be completed, shall become null and void.

Effective October 8, 1900.

An Ordinance granting a franchise to the Salt Lake City Railroad company. •

Section 1. Be it ordained by the city council of Salt Lake City: That the Salt Lake City Railroad company, its successors or assigns, have the authority and consent of the city council, and the permission is hereby granted it, to construct and operate by electricity or compressed air motive power, a double-track street railroad, together with all the necessary

switches and turn-outs for the accommodation of said street railroad, upon the following streets of this city, namely:

From the center of the intersection of Seventh East street and Ninth South street south on Seventh East street to the south boundary of the city.

Upon the following conditions, namely:

Such track or tracks to be laid and maintained on such grades as are now or may hereafter be established by the city council.

In consideration of this franchise, the grantee, its successors or assigns aforesaid, are hereby required to pave and keep in good repair with the same material and in the same manner as the rest of the street is or may be paved or improved the space inside the tracks and two feet outside the same, including all spaces between double tracks where the same may be constructed; and also to use no steam power unless the same be stationary, on any part of the road for propelling cars, unless permitted by the city council. And the grantee aforesaid shall place cars upon said railroad with all the necessary modern improvements for the convenience and comfort of passengers, which shall be run thereon each and every hour, both ways, for the same period of time as cars are run in other parts of the city (provided, that the grantee shall not be required to run oftener than once in fifteen minutes), and at a rate of speed not exceeding twelve miles per hour, and under such regulations as the city council may from time to time prescribe; provided, that the grantee aforesaid shall comply with the directions of the city council in the construction of said railroad and its switches and turn-outs, and in any other matter connected with the regulation of the same, and that the track or tracks shall be constructed so that the east rail of the proposed line shall be within nineteen and three-quarter feet of the curb line of the west side of the street, along the east side of Liberty park, excepting where the canal maintained by the city renders such construction impracticable, unless otherwise directed by the city council, and in such manner as shall be approved by the street supervisor, the track to be laid and the road operated so as to cause no impediment to the

common and ordinary use of said street for all purposes, and in such manner that the water courses of said streets be kept free and unobstructed; said tracks to be laid upon a good foundation, even with the surface of the roadway, and whenever the streets shall be paved suitable rails shall be used on such streets, and that good and permanent crossing shall be made and maintained in good condition by the grantee aforesaid, at the intersections of streets and elsewhere whenever and wherever the same shall be necessary, at the discretion of the city council, and under the direction and to the acceptance of the street supervisor. The price of a single passage shall not exceed five cents, and no charge shall be made in excess thereof.

The said grantee shall pay into the city treasury, annually, a license tax of twenty-five dollars per car for the average number of cars operated upon this line, but otherwise said company shall not be liable to any per capita tax or other license upon the rights herein granted.

Sec. 2. That this franchise is granted for a term of forty-five years from the date of the passage of this resolution, and accepted on the following conditions, namely: That if for any reason the said grantee, its successors or assigns, fails or refuses to conform to any of the provisions of this franchise, then said franchise may be, upon notice, revoked by a resolution of the city council passed by an affirmative vote of a majority of all the members thereof; and upon the passage of such resolution as aforesaid, said franchise shall at once become null and void; and the city shall thereupon have the absolute right to enter the streets of said city and take possession and remove therefrom, all poles, wires, tracks and other appliances therewith connected, belonging to said grantee, and at its expense.

And the said grantee hereby waives and relinquishes any and all claim or claims for damages against said city and any of its officers, agents, servants or employes for or on account of such entry or removal.

Sec. 3. That nothing in this grant shall be so construed as to prevent Salt Lake City or its authorized agents from

paving, sewerage, laying gas or water mains or pipes, altering, repairing, or in any manner improving any of the streets mentioned herein, or any other streets of said city, but all such improvements shall be made with as little injury as practicable to said railway and the operating thereof.

Sec. 4. That in the construction and operation of said railway the said grantee and its successors and assigns, shall at all times conform to such ordinances, rules and regulations as have been, or may hereafter be adopted by the city council of said city, in relation to operating railroads, streets railways or tramways in said city, and for each violation thereof they shall be liable to a fine in any sum not exceeding one hundred dollars.

That whenever the city council shall find it necessary or desirable to grant to any other street railroad company a franchise over any of the streets herein granted, to secure to such other company a connection with some important center or terminus, the grantee herein shall allow running arrangements over grantee's tracks to such other company upon such other company making equitable payment for constructing, maintaining and operating the portion of said grantee's tracks so used.

Sec. 5. That Salt Lake City shall in no way be liable or responsible for any accident or damage that may occur in the construction or operation of said railway by reason of the default or misconduct of the grantee of its successors or assigns or their employes, and the acceptance of this grant shall be deemed an agreement on the part of said grantee, for itself and its successors or assigns, to save said city harmless from and against all liability, loss, costs, expense or damage of any nature arising out of any such default or misconduct, or which may accrue by reason of any accident or injury which may occur in or by reason of the construction or operation of said railway, and to indemnify and pay said city for any loss, costs, expense or damage of any kind it may sustain by reason of any such default, misconduct, accident or injury that shall be recovered against said city, the recovery thereof and the judgment therefor shall be final as between the said city and the

said grantee and its successors and assigns, and conclusive as to the liability of the latter to the former.

The grantee shall be liable for all accidents to people or injury to property, whether of the city or private parties in the construction and operation of its said railroad, occasioned by its misconduct, negligence or default, and particularly in the use of electricity thereon, and the said company shall at all times be required to use such reasonable and approved methods as are then in successful use by cities of approximately the same size as Salt Lake City, and as shall at any time be requested by the city council or the board of public works, for the protection of the public and its property against any injury caused by the use of electricity as motive power, and if deemed necessary by the said city council or board of public works, the said company shall have, make and maintain a complete metallic circuit of such approved kind as shall be used and adopted and proven by experience to be proper and reasonable.

Sec. 6. If this grant, with the terms and conditions herein contained, be not accepted in writing by said grantee within thirty days after the passage of this resolution, or if the work be not commenced within thirty days, and the road in operation within ninety days after said acceptance, then this grant, as to such portion or portions of the streets upon which the road shall not be in operation, shall become null and void. The acceptance of this franchise shall be construed as an agreement to give a half-hour service for at least six hours each day upon all lines operated under franchises heretofore granted by Salt Lake City.

Effective March 21, 1901.

SALT LAKE RAPID TRANSIT COMPANY.

A Resolution granting a franchise to the Salt Lake Rapid Transit company.

Section 1. Be it, resolved by the city council of Salt Lake City: That the Salt Lake Rapid Transit company, its successors and assigns, have the authority and consent of the city council, and the permission is hereby granted it, to construct and operate by horse, electric, or cable motive power, a single or double-track street railroad, together with all the necessary switches for the accommodation of said road, on the following streets of said city, namely:

Along Fourth South street from the west line of the military reservation of Fort Douglas to the Jordan river.

Along Seventh South street from the west line of the military reservation of Fort Douglas to the Jordan river.

Along West Temple street from Seventh South street to First South street.

Along Fifth West street from Third South street to Seventh South street.

Along Third West street from Second South street to Ninth North street.

From the corner of First East street and First North street along First East street, or so much thereof as may be owned by the city, to Wall street; thence along Wall street by the most practicable route to Ninth North street; thence west along Ninth North street to Third West street.

Along Seventh West street from Seventh South street to Ninth North street; thence along Ninth North street from Seventh West street to Tenth West street and thence northward along Marion boulevard to Beck's Hot Springs; Provided, that the rights of way hereby granted shall not be deemed to cover any streets to which Salt Lake City has no right or in which it has not title, although such streets may be named herein.

On the following conditions, viz: Such track or tracks to

be laid on such grades as are now or may hereafter be established by the city council. In consideration of this franchise, the grantee, its successors and assigns aforesaid, are hereby required to keep in good repair, with the same material and in the same manner as the rest of the street is or may be paved, the space inside the track, and a space two feet each side of the same, including all spaces between double tracks where the same may be constructed, and also to use no steam power unless the same be stationary, on any part of the road for propelling cars, unless permitted by the city council. And the grantee aforesaid shall place cars upon said railroad, with all necessary modern improvements for the convenience and comfort of passengers, which shall be run thereon each and every day, both ways, as often as the public convenience may require, at a rate of speed not exceeding twelve miles per hour, and under such regulations as the city council may from time to time prescribe; Provided, that the grantee aforesaid shall comply with the directions of the city council in the construction of said railroad, and in any other matter connected with the regulations of the same, and that the track or tracks shall be constructed in the center of the streets, unless otherwise directed by the city council, and in such a manner as shall be approved by the street supervisor; the track to be laid and the road operated so as to cause no unnecessary impediment to the common and ordinary use of said streets for all purposes; and that the water courses of said streets be left free and unobstructed; said track to be laid upon a good foundation even with the surface of the roadway; and good and permanent crossings shall be made by the grantee aforesaid at the intersection of streets and elsewhere, wherever the same shall be necessary, at the discretion of the city council, and under the direction and to the acceptance of the street supervisor. The price of a single passage shall not exceed ten cents, and no charge shall be made in excess thereof. Said company shall pay into the city treasury at the rate of not exceeding twenty-five dollars per annum for each and every car used upon its lines, but otherwise said company shall not be liable to any per capita tax whatever.

Sec. 2. That this franchise is granted for the term of twenty years from the date of the passage of this resolution, and accepted on the following conditions, viz.: That if the grantee, its successors and assigns, shall fail to perform all the stipulations of this resolution, the city council, after sixty days' notice and on failure on the part of said company to provide a remedy or make satisfactory arrangements therefor, may, by a two-thirds vote declare the privileges herein granted forfeited, and proceed to take possession of the road-bed, and control the same as if this resolution had not been passed.

Sec. 3. That nothing in this grant shall be so construed as to prevent Salt Lake City or its authorized agents from paving, sewerage, laying gas or water mains or pipes, altering, repairing or in any manner improving any of the streets mentioned herein, or any other streets of said city, but all such improvements shall be made with as little injury as practicable to said railway and the operating thereof.

Sec. 4. That in the construction and operation of said railway, the said grantee and its successors and assigns shall at all times conform to such ordinances, rules and regulations as have been or may hereafter be adopted by the city council of said city, in relation to operating railroads, street railways or tramways in said city, and for each violation thereof they shall be liable to a fine in any sum not exceeding one hundred dollars.

Sec. 5. That Salt Lake City shall in no way be liable or responsible for any accident or damage that may occur in the construction or operation of said railway by reason of the default or misconduct of the said grantee and its successors and assigns or their employes, and the acceptance of this grant shall be deemed an agreement on the part of the said grantee, for itself and its successors and assigns, to save the said city harmless from and against all liability, loss, costs, expense or damage of any nature arising out of any such default or misconduct, or which may accrue by reason of any accident or injury which may occur in or by reason of the construction or operation of said railway, and to indemnify and repay said

city for any loss, costs, expense or damage of any kind it may sustain by reason of any such default, misconduct, accident or injury; and if any judgment for damages for any such default, misconduct, accident or injury shall be recovered against the said city, the recovery thereof and the judgment therefor shall be final as between the city and the said grantee and its successors and assigns, and conclusive as to the liability of the latter to the former; Provided, said grantee has had due notice of the pendency of the suit in which such judgment is recovered and has been given an opportunity to defend the same.

Sec. 6. That if this grant with the terms and conditions herein contained, be not accepted in writing by said grantee within thirty (30) days after the passage of this resolution, or if work be not commenced within sixty (60) days after said acceptance, or if work be not completed on at least five miles of said road within nine months after said acceptance, then this grant and franchise shall become null and void.

Effective February 11, 1890.

A Resolution granting a franchise to the Salt Lake Rapid Transit company.

Section 1. Be it resolved by the city council of Salt Lake City: That the Salt Lake Rapid Transit company, its successors and assigns, have the authority and consent of the council, and the permission is hereby granted it, to construct and operate by horse, electric or cable motive power, a single or double-track street railroad, together with all the necessary switches for accommodation of said road on the following streets of said city, namely:

Along First East street from the present terminus of said company's franchise on First North street, south to the south limits of Salt Lake City.

Along Eighth East street from Seventh South street to the south line of Ninth South street.

Along Ninth East street from Ninth South street to the south limits of Salt Lake City.

Along Tenth South street (being the street south of Liberty Park) from Ninth East street to west line of Seventh East street, and from west line of Fourth East street to First East street, along Third East street from Fourth South street to south limits of the city.

On the following conditions, viz.: Such track or tracks to be laid on such grades as are now or may hereafter be established by the city council. In consideration of this franchise, the grantees, its successors and assigns aforesaid, are hereby required to keep in good repair the space inside and between the tracks, and a space of two feet on each side of the same with the same material as is used on the street where such track is laid, and also to use no steam power unless the same be stationary, on any part of the road for propelling cars, unless permitted by the city council. And the grantees aforesaid shall place cars upon said railroad, with all necessary modern improvements for the convenience and comfort of the passengers, which shall be run thereon, each and every day both ways, as often as the public convenience may require, at a rate of speed not exceeding twelve miles per hour, and under such regulations as the city council may from time to time prescribe; Provided, that the grantees aforesaid shall comply with the directions of the city council in the construction of said railroad, and in any other matters connected with the regulation of the same, and that the track or tracks shall be constructed in the center of the streets, unless otherwise directed by the city council, and in such manner as shall be approved by the street supervisor, the track to be laid and the road operated, so as to cause no unnecessary impediment to the common and ordinary use of said streets for all purposes, and that the water courses of said streets shall be left free and unobstructed; said track to be laid upon good foundation, even with the surface of the roadway; and good and permanent crossings shall be made by the grantees aforesaid at the intersection of the streets and elsewhere wherever the same shall be necessary, at the discretion of the city council and under

the direction and to the acceptance of the street supervisor, and upon such portion of streets herein granted as are only partially graded, said grantees shall so grade said streets as to give trackage to vehicles equivalent to the portion occupied by said grantees, and all tracks constructed by said grantees wherever streets shall be paved, shall be with the flat rail; and on such streets as are but four rods wide said grantees shall construct no more than one track and no switches, and the space between double tracks, or between main track or any switches, shall not exceed seven feet, unless authorized by the city council. The price of a single passage shall not exceed ten cents, and no charge shall be made in excess thereof; said company shall pay into the city treasury a per capita tax of 1 1-4 mills for each and every fare collected.

[Sections two, three and four are identical in language with the like numbered sections in the preceding franchise to the Rapid Transit company granted February 11, 1890. See page 501.]

Sec. 5. That whenever the city council shall find it necessary or desirable to grant to any other street railroad company a franchise over any of the streets herein granted, to secure to such other company a connection with any important center or terminus, the grantees herein shall allow running arrangements over grantees' tracks to such other company on streets where said grantees may have a double track, upon such other company making equitable payment for constructing, maintaining and operating the portion of said grantees' track so used.

[Section six is identical in language with section five in the preceding franchise to the Rapid Transit company granted February 11, 1890. See page 501.]

Sec. 7. That if this grant, with the terms and conditions herein contained, be not accepted in writing by said grantees within thirty days after the passage of this resolution, together with a relinquishment to Salt Lake City of said grantees' franchise on West Temple street, or if work be not commenced within sixty days after said acceptance, or if work be not completed on the whole of First East street, south from

North Temple street, within six months after said acceptance, and said street double-tracked between South Temple street and Fourth South street within one year after said acceptance (the number of miles so constructed to be credited and accepted for said grantees as a portion of the five miles required of them to be built upon the franchise heretofore granted them by the city council of Salt Lake City), then this grant and franchise shall become null and void.

Effective April 22, 1890.

A Resolution granting a franchise to the Salt Lake Rapid Transit company.

Section 1. Be it resolved by the city council of Salt Lake City: That the Salt Lake Rapid Transit company, its successors and assigns, have the authority and consent of the council, and the permission is hereby granted it, to construct and operate by electric or cable motive power, a single or double track street railroad, together with all the necessary switches for the accommodation of said road, on the following streets of said city, namely:

First—Along Ninth East street from the center of Seventh South street to the south line of Ninth South street.

Second—Commencing on Seventh South street at the east bank of Jordan river and running thence west to Oquirrh street, thence south on Oquirrh street to Indiana avenue, and thence west on Indiana avenue to the county road west of Glendale park.

Third—Along North Temple street from First East street to Third West street, thence south on Third West street to South Temple street.

Fourth—Along Ninth North street from Third West street to Seventh West street.

Fifth—Along First street from First East street to Fort Douglas reservation.

Sixth—Commencing on A street at the intersection of

First street and running thence north on A street to Second street, thence east on Second street to C street, thence north on C street to Fifth street, thence east on Fifth street to the cemetery.

Seventh—Along Sixth East street from Fourth South street to Ninth South street.

Eighth—Commencing on Tenth East street at the intersection of Fourth South street and running thence south on Tenth East street to Fifth South street, thence east on Fifth South street to Eleventh East street, thence south on Eleventh East street to Sixth South street, east on Sixth South street to Twelfth East street, thence over so much of the streets as may be vested in the city, south on Twelfth East street to Eighth South street, east on Eighth South street to Thirteenth East street, south on Thirteenth East street to Ninth South street, thence east on Ninth South street to the center of section 10, township 1 south, range 1 east.

Ninth—Along Second South street from First East street to Seventh West street.

On the following conditions, viz.: Such track or tracks to be laid on such grades as are now or may hereafter be established by the city council. In consideration of this franchise the grantee, its successors and assigns as aforesaid, are hereby required to keep in good repair the space inside and between the tracks, and a space of two feet each side of the same with the same material as is used on the street where such track is laid, and also to use no steam power unless the same be stationary, on any part of the road for propelling cars, unless permitted by the city council. And the grantee aforesaid shall place cars upon said railroad, with all necessary modern improvements for the convenience and comfort of the passengers, which shall be run thereon each and every day, both ways, as often as the public convenience may require, at a rate of speed not exceeding twelve miles per hour, and under such regulations as the city council may from time to time prescribe; Provided, that the grantee aforesaid shall comply with the directions of the city council in the construction of said railroad, and in any other matters connected with the

regulation of the same, and that the track or tracks shall be constructed in the center of the street, unless otherwise directed by the city council, and in such manner as shall be approved by the street supervisor; the track to be laid and the road operated so as to cause no unnecessary impediment to the common and ordinary use of said streets for all purposes; and that the water courses of said streets shall be left free and unobstructed; said track to be laid upon good foundation, even with the surface of the roadway; and good and permanent crossings shall be made by the grantee aforesaid at the intersection of the streets and elsewhere, wherever the same shall be necessary, at the discretion of the city council, and under the direction and to the acceptance of the street supervisor; and upon such portion of streets herein granted as are only partially graded, said grantee shall so grade said streets as to give trackage to vehicles equivalent to the portion occupied by said grantee; and all tracks constructed by said grantee wherever streets shall be paved shall be with the flat rail; and on the portions herein granted of Indiana avenue, Ninth East street, Tenth East street, Fifth South street and Second South street, and on such streets as are but four rods wide, said grantee shall construct no more than one track, and no switches, and the space between double tracks, or between main track and any switches, shall not exceed seven feet, unless authorized by the city council. The price of a single passage shall not exceed ten cents, and no charge shall be made in excess thereof. Said company shall pay into the city treasury a per capita tax of 11-4 mills for each and every fare collected.

[Sections two, three, four, five and six are identical in language with the like numbered sections in the preceding franchise to the Rapid Transit company, granted April 22, 1890. See page 504.]

Sec. 7. That if this grant, with the terms and conditions herein contained, be not accepted in writing by said grantee within thirty days after the passage of this resolution, together with a relinquishment to Salt Lake City of said grantee's franchise on Eighth East street, then this grant and franchise shall become null and void, and all rights on that portion of

streets herein granted, on which said road is not actually constructed and operated within three years after such acceptance, shall at once be forfeited to the city.

Effective May 6, 1890.

A Resolution granting a franchise to the Popperton Place and Fort Douglas Rapid Transit company.

Section 1. Be it resolved by the city council of Salt Lake City: That the Popperton Place and Fort Douglas Rapid Transit company, its successors and assigns, have the authority and consent of the council, and the permission is hereby granted it, to construct and operate by electric or cable motive power, a single-track street railroad, together with all the necessary switches for the accommodation of said road, on the following streets of said city, namely: Along Fourth street from Popperton Place to D street; along D street from Fourth street to South Temple street; along Second street from Popperton Place to T street; along T street from Second street to the south line of First street, on the following conditions, viz.: Such track or tracks to be laid on such grades as are now, or may hereafter, be established by the city council. In consideration of this franchise, the grantee, its successors and assigns aforesaid, are hereby required to keep in good repair the space inside and between the tracks, and a space of two feet each side of the same, with the same material as is used on the street where such track is laid, and also to use no steam power, unless the same be stationary, on any part of the road for propelling cars unless permitted by the city council. And the grantee aforesaid shall place cars upon said railroad, with all necessary modern improvements for the convenience and comfort of the passengers, which shall be run thereon each and every day both ways, as often as the public convenience may require, at a rate of speed not exceeding twelve miles per hour, and under such regulations as the city council may from time to time prescribe; Provided, that the grantee

aforesaid shall comply with the directions of the city council in the construction of said railroad, and in any other matters connected with the regulation of the same, and that the track or tracks shall be constructed in the center of the streets, unless otherwise directed by the city council, and in such manner as shall be approved by the street supervisor, the track to be laid and the road operated, so as to cause no unnecessary impediment to the common and ordinary use of said streets for all purposes; and that the water courses of said streets shall be left free and unobstructed; said track to be laid upon good foundation, even with the surface of the roadway; and good and permanent crossings shall be made by the grantee aforesaid at the intersection of the streets and elsewhere wherever the same shall be necessary, at the discretion of the city council, and under the direction and to the acceptance of the street supervisor. And all tracks constructed by said grantee, wherever streets shall be paved, shall be with the flat rail, and the space between main track and any switches shall not exceed seven feet, unless authorized by the city council. And that the trolley wire (if electricity be used) shall be suspended from wires attached to poles at or near the curb line of the street.

The price of a single passage shall not exceed ten cents, and no charge shall be made in excess thereof. Said company shall pay into the city treasury a per capita tax of 1 1-4 mills for each and every fare collected from travel on the lines herein granted.

Sec. 2. That this franchise is granted for the term of twenty years from the date of the passage of this resolution, and accepted on the following conditions, viz.: That if the grantee, its successors and assigns, shall fail to perform any of the stipulations of this resolution, the city council, after sixty days' notice, and on failure on the part of said company to provide a remedy or make satisfactory arrangement therefor, may by a two-thirds vote, declare the privileges herein granted forfeited, and proceed to take possession of the road-bed and control the same as if this resolution had not been passed.

Sec. 3. That nothing in this grant shall be so construed as to prevent Salt Lake City or its authorized agents from pay-

ing, sewerage, or laying gas or water mains or pipes, altering, repairing, or in any manner improving any of the streets mentioned herein, or any other streets of said city, but all such improvements shall be made with as little injury as practicable to said railroad and the operating thereof.

Sec. 4. That in the construction and operation of said railroad the said grantee and its successors and assigns shall at all times conform to such ordinances, rules and regulations as have been or may hereafter be adopted by the city council of said city, in relation to operating railroads, street railways or tramways in said city, and for each violation thereof they shall be liable to a fine in a sum not exceeding one hundred dollars.

That whenever the city council shall find it necessary or desirable to grant to any other street railroad company a franchise over any of the streets herein granted, to secure to such other company a connection with any important center or terminus, the grantee herein shall allow running arrangements over grantee's tracks to such other company on streets where said grantee may have a double track, upon such other company making equitable payment for constructing, maintaining and operating the portion of said grantee's track so used.

Sec. 5. That Salt Lake City shall in no way be liable or responsible for any accident or damage that may occur in the construction or operation of said railway by reason of the default or misconduct of said grantee and its successors and assigns, or their employes, and the acceptance of this grant shall be deemed an agreement on the part of the said grantee for itself and successors and assigns to save the said city harmless from and against all liability, loss, costs, expense and damage of any nature arising out of any such default or misconduct, or which may accrue by reason of any accident or injury which may occur in or by reason of the construction of said railway, and to indemnify and repay said city for any loss, costs, expense or damage of any kind it may sustain by reason of any such default, misconduct, accident or injury; and if any judgment for damages for any such default, misconduct, accident or injury shall be recovered against the said city, the re-

covery thereof and the judgment therefor shall be final as between the said city and said grantee and its successors and assigns, and conclusive as to the liabilities of the latter to the former; Provided, said grantee has had notice of the pendency of the suit in which said judgment is recovered, and had been given an opportunity to defend the same.

Sec. 6. That if this grant, with the terms and conditions herein contained, be not accepted in writing by said grantee within thirty days after the passage of this resolution, then this grant and franchise shall become null and void. And all rights on that portion of streets herein granted on which said road is not actually constructed within eighteen months after such acceptance, shall be forfeited to the city.

Effective September 8, A. D. 1891.

C. E. WANTLAND ET AL.

A Resolution granting a franchise to C. E. Wantland, W. H. Irvine, J. T. M'Nary, Harvey Hardy, George Crismon and H. M. M'Cartney for a street railway.

Section 1. Be it resolved by the city council of Salt Lake City: That C. E. Wantland, W. H. Irvine, J. T. McNary, Harvey Hardy, George Crismon and H. M. McCartney, their successors and assigns, have the authority and consent of the council, and the permission is hereby granted them, to construct and operate by horse, electric or cable motive power a single-track street railroad, together with all the necessary switches for the accommodation of said road, on the following street of said city, namely:

Along Tenth South street (being the street south of Liberty Park), from Eleventh East street to Seventh East street.

On the following conditions, viz.: Such track or tracks to be laid on such grades as are now or may hereafter be established by the city council. In consideration of this franchise the grantees, their successors and assigns aforesaid, are here-

by required to keep in good repair the space inside and between the tracks, and a space of two feet each side of the same, with the same material as is used on the street where such track is laid, and also to use no steam power, unless the same be stationary, on any part of the road for propelling cars, unless permitted by the city council. And the grantees aforesaid shall place cars upon said railroad, with all necessary modern improvements for the convenience and comfort of the passengers, which shall be run thereon each and every day, both ways, as often as the public convenience may require, at a rate of speed not exceeding twelve miles per hour, and under such regulations as the city council may from time to time prescribe; Provided, that the grantees aforesaid shall comply with the directions of the city council in the construction of said railroad, and in any other matters connected with the regulation of the same; and that the track or tracks shall be constructed in the center of the streets, unless otherwise directed by the city council, in such manner as shall be approved by the street supervisor; the track to be laid and the road operated so as to cause no unnecessary impediment to the common and ordinary use of said streets for all purposes; and that the water courses of said streets shall be left free and unobstructed; said track to be laid upon good foundation even with the surface of the roadway; and good and permanent crossings shall be made by the grantees aforesaid at the intersection of the streets and elsewhere, wherever the same shall be necessary, at the discretion of the city council, and under the direction and to the acceptance of the street supervisor; and upon such portion of streets herein granted as are only partially graded, said grantees shall so grade said streets as to give trackage to vehicles equivalent to the portion occupied by said grantees; and all tracks constructed by said grantees, wherever streets shall be paved, shall be with the flat rail. The price of a single passage shall not exceed five cents, and no charge shall be made in excess thereof. Said company shall pay into the city treasury a per capita tax of 1 1-4 mills for each and every fare collected.

[Sections two, three, four, five and six are identical in lan-

guage with the like numbered sections in the franchise to the Rapid Transit company, granted April 22, 1890. See page 504.]

Sec. 7. That if this grant, with the terms and conditions herein contained, be not accepted in writing by said grantees within thirty days after the passage of this resolution, or if work be not commenced within sixty days after said acceptance, or if work be not completed within one year after said acceptance, then this grant and franchise shall become null and void.

Effective June 24, 1890.

An Ordinance extending, regranting and confirming certain resolutions and ordinances heretofore passed by the city council of Salt Lake City, granting franchises to the Salt Lake Rapid Transit company, the Popperton Place and Fort Douglas Rapid Transit company and to C. E. Wantland and others, and amending the same.

Whereas, the Salt Lake Rapid Transit company is operating a system of street railway in Salt Lake City, including therein the railway lines of the Popperton Place and Fort Douglas Rapid Transit company and the East Bench Street Railway company (successors to C. E. Wantland and others), the right to construct and operate the said railways having been acquired by several franchises granted by the city council of said city and the county court of Salt Lake county, varying in limit of time and the method of computing the license tax paid to the city; and,

Whereas, Questions have arisen between the city and said company respecting the duties and obligations of said company as to the amount of special or license tax to be paid by said company and in respect to the paving and repaving of the streets upon which the lines of railway of said company are constructed; and,

Whereas, the said company has requested the council to

grant to it an extension of the rights and privileges by it had and enjoyed under said resolutions and ordinances ;

Now, therefore, for the purpose of settling and determining the questions which have heretofore arisen between the said city and the said company, as aforesaid, and of fixing the liability and duty of the said company in the premises ;

Be it hereby ordained by the city council of Salt Lake City as follows, to-wit :

Section 1. That the rights and privileges conferred by the several ordinances or resolutions of said city council and the county court of Salt Lake county heretofore passed granting franchises to the Salt Lake Rapid Transit company, the said Popperton Place and Fort Douglas Rapid Transit company, and the said C. E. Wantland and others, and the amendments thereto, be and the same are hereby regranted and extended for the period of fifty years from the first day of January, 1894, upon the terms and under the conditions, restrictions and limitations contained in the resolution of February 11, 1890, except as modified hereby, subject, however, to the following modifications and provisions, to-wit :

The said grantee shall pay into the city treasury annually a license tax of \$25 per car for the average number of motors cars operated upon its line, but otherwise said company shall not be liable for any per capita tax or license ; but this clause shall not be deemed an exemption of the said company from paying the regular territorial, county, school and municipal taxes as the same may be levied or assessed.

Sec. 2. That the resolutions mentioned in section 1 of this ordinance be and the same are hereby amended by inserting therein the following provisions, to-wit :

Said company shall be required to move its track on North Temple street between Main and State streets to the north side of the conduit in accordance with the resolution of the city council adopted March 20, 1894 ; and said company shall be required to pave or repave at its own expense and cost all the space between its different rails or tracks, and also a space two feet wide on the outside of the rails of the outside tracks, and the tracks herein referred to shall include not only

the main tracks but also the side tracks, crossings and turn-outs used by said company; such paving or repaving by the said railroad company shall be at the same time and shall be of the same material and character as are proper for the repaving of the streets or alleys on which the said railroad track or tracks are paved and located, unless other material be specially ordered by the board of public works; provided, that where the said company has double tracks on the same streets, and it be required for the accommodation of some other corporation or person to lay its tracks a greater distance apart than it would be required to do but for the accommodation of such other corporation or person, then, in that event, the said railroad company shall not be liable for or required to pave said additional distance.

Sec. 3. The price of a single passage shall not exceed 5 cents, and no charge shall be made in excess thereof within said city, excepting where the passage, or some portion thereof, shall be over any part of the line of the grantee lying within the limits of the Fort Douglas Military Reservation, so long as this reservation shall exist, and in case its boundaries shall hereafter be reduced in area, the above exception shall apply only to such area.

Sec. 4. The grantee shall be liable for all accidents to persons or injury to property whether of the city or private parties in the construction and operation of its railroad in consequence of its misconduct or default, and particularly in the use of electricity thereon; and the said company shall at all times be required to use such reasonable and approved methods as are then in successful use by cities of approximately the same size as Salt Lake City and as shall at any time be requested by the city council and the board of public works for the protection of the public and its property against injury caused by the use of electricity as a motive power; and if deemed necessary by the said city council and the board of public works, the said company shall have, make and maintain a complete metallic circuit of such approved kind as shall be used and adopted and proven by experience to be proper and reasonable.

Sec. 5. The rights and privileges hereby given and all

restrictions and limitations herein contained shall be deemed a part of and shall run with this grant and shall be operative so long as the privileges and franchises herein given shall exist; and in case the corporate limits of the city shall in the future be extended, all the line of said company within the corporate boundary so enlarged shall become and be subject to the terms and conditions of said charters as amended by this ordinance, the same as if said lines were now within the corporate limits.

Sec. 6. That all ordinances, resolutions and parts thereof in conflict with the provisions of this ordinance, are hereby repealed and the resolutions mentioned in section 1 of this ordinance amended as herein provided are hereby re-enacted and made operative from the date of the passage of this ordinance.

Sec. 7. If this grant be not accepted in writing by the grantee within twenty days after the passage of this ordinance the same shall become void and of no effect.

Effective April 18, 1894.

An Ordinance granting to Consolidated Railway and Power company a right-of-way over certain streets.

Be it ordained by the city council of Salt Lake City, Utah:

Section 1. That the Consolidated Railway and Power company, its successors and assigns, have the authority and consent of the city council, and the permission is hereby granted it, to construct and operate by horse, electric or cable motive power a single or double track street railroad, together with all the necessary switches for the accommodation of said road, on the following streets of said city, namely:

(a) From First South street to the north side of South Temple street, on Third West street.

(b) From Third West street westerly over the proposed viaduct to the west side of Fifth West street on North Temple street.

Such track or tracks to be laid on such grades as are now

or may hereafter be established by the city council. In consideration of this franchise, the grantee, its successors and assigns aforesaid are hereby required to keep in good repair with the same material and in the same manner as the rest of the street is or may be paved, all the space between its rails and tracks, and also a space two feet wide outside of the outer rails of the outside tracks, including all spaces between double tracks where the same may be constructed, and switches and turnouts, and also to use no steam power, unless the same be stationary, on any part of the road for propelling cars, unless permitted by the city council.

And the grantee aforesaid shall place cars upon said railroad, with all necessary modern improvements for the convenience and comfort of passengers, which shall be run thereon, each and every day both ways, as often as the public convenience may require, and at a rate of speed not exceeding twelve miles per hour, and under such regulations as the city council may from time to time prescribe; provided, that the grantee aforesaid shall comply with the directions of the city council in the construction of said railroad, and in any other matters connected with the regulations of the same, and that the track or tracks shall be constructed in the center of the streets unless otherwise directed by the city council, and in such a manner as shall be approved by the street supervisor, the track to be laid and the road operated, so as to cause no unnecessary impediment to the common and ordinary use of said streets for all purposes; and that the water courses of said streets be left free and unobstructed; said track to be laid upon a good foundation, even with the surface of the roadway; and good and permanent crossings shall be made by the grantee aforesaid at the intersection of streets and elsewhere wherever the same shall be necessary, at the discretion of the city council, and under the direction and to the acceptance of the street supervisor. The price of a single passage shall not exceed five cents, and no charge shall be made in excess thereof; said company shall pay into the city treasury at the rate of not exceeding twenty-five (\$25.00) dollars per annum, for each and every motor car used upon its lines, but otherwise

said company shall not be liable to pay any per capita tax whatever.

Sec. 2. That this franchise is granted for the term of fifty years from the date of the passage of this ordinance, and accepted on the following conditions, viz.: That if the grantee, its successors and assigns shall fail to perform all the stipulations of this ordinance, the city council, after sixty days' notice, and on failure on the part of said company to perform such stipulations, or make satisfactory arrangements therefor, may, by a two-thirds vote, declare the privileges herein granted forfeited, and proceed to take possession of the roadbed, and control the same as if this ordinance had not been passed, and as if said roadbed had always been the property of Salt Lake City.

Sec. 3. That nothing in this grant shall be so construed as to prevent Salt Lake City or its authorized agents from paving, sewerage, laying gas or water mains or pipes, altering, repairing or in any manner improving any of the streets mentioned herein, or any other streets of said city; but all such improvements shall be made with as little injury as practicable to said railway and the operating thereof.

Sec. 4. That in the construction and operation of said railway the said grantee and its successors and assigns shall at all times conform to such ordinances, rules and regulations as have been or may hereafter be adopted by the city council of said city in relation to operating railroads, street railways or tramways in said city, and for each violation thereof they shall be liable to a fine in any sum not exceeding one hundred (\$100.00) dollars.

Sec. 5. That Salt Lake City shall in no way be liable or responsible for any damage that may occur in the construction or operation of said railway by reason of the default or misconduct of the said grantee and its successors and assigns or their employes, and the acceptance of this grant shall be deemed an agreement on the part of the said grantee, for itself and its successors and assigns, to save the said city harmless from and against all liability, loss, costs, expense or damage of any nature arising out of any such default or misconduct,

or which may accrue by reason of any accident or injury which may occur in or by reason of the construction or operation of said railway, and to indemnify and repay said city for any loss, costs, expense or damage of any kind it may sustain by reason of any such default, misconduct, accident or injury; and if any judgment for damages for any such default, misconduct, accident or injury shall be recovered against the said city, the recovery thereof and the judgment therefor shall be final as between the said city and the said grantee and its successors and assigns, and conclusive as to the liability of the latter to the former.

Sec. 6. That if this grant, with the terms and conditions herein contained, be not accepted in writing by said grantee within sixty (60) days after the passage of this ordinance, the same shall become void and of no effect.

Sec. 7. The said grantee, its successors or assigns, shall construct a double track railway over said viaduct within a reasonable time after the said viaduct is so completed that street railway tracks can be constructed thereon.

Sec. 8. This ordinance shall take effect upon approval.

Effective November 27, 1903.

A Resolution granting a franchise to H. M. McCartney, Sam J. Kenyon, S. F. Walker and S. V. Trent for an electric or cable railway.

Section 1. Be it resolved by the city council of Salt Lake City that H. M. McCartney, Sam J. Kenyon, S. F. Walker and S. V. Trent, their successors and assigns, have the authority and consent of the city council and the permission is hereby granted them to construct and operate by electric or cable motive power, a single track railway, with the necessary switches and turnouts, on the following streets of Salt Lake City, namely:

Commencing at the intersection of State street and South Capitol street, thence east on South Capitol street to its inter-

section with East Capitol street, thence northward on East Capitol street, to its intersection with Paris avenue, the northern boundary of plat J, thence northeasterly along the side hill to the northern boundary of Salt Lake City in the western part of section 13, township 1 north, range 1 west, on the following conditions, to wit:

Such track to be laid on such grades as are now or may be hereafter established by the city council. In consideration of this franchise the grantees, their successors and assigns aforesaid, are hereby required to pave and keep in good repair, at their own cost, with the same material and in the same manner as the rest of the street is or may be paved, all the space inside the tracks, and a space of two feet each side of the same, including all spaces between double tracks, whether the tracks shall be straight, curved, parallel or otherwise. And the grantees aforesaid shall place cars upon said railway with all necessary modern improvements for the convenience and comfort of passengers, which shall be run thereon each and every day both ways as often as the public convenience may require, and at a rate of speed not exceeding twelve miles an hour, and under such regulations as the city council may from time to time prescribe; provided that the grantees aforesaid shall comply with the directions of the city council in the construction of the said railway and its switches, and in any other matter connected with the regulation of the same, and that the track or tracks shall be constructed in the center of the streets, unless otherwise directed by the city council and in such manner as shall be approved by the street supervisor; the track to be laid and the road operated so as to cause no unnecessary impediment to the common and ordinary use of said street for all purposes, and that the water courses of said streets be left free and unobstructed; said track to be laid upon a good foundation even with the surface of the roadway, and whenever streets shall be paved flat rails shall be used on such streets, same to be approved by the city council, and that good and permanent crossings shall be made by the grantees aforesaid at the intersections of the streets and elsewhere, wherever the same shall be necessary, at the discretion of the city coun-

cil, and under the direction and to the acceptance of the street supervisor. The price of a single passage within the city limits shall not exceed ten (10) cents, and no charge shall be made in excess thereof; the rate of fare, however, to be subject to further regulation at any time by the city council. And the said grantees and their assigns shall pay into the city treasury on the last day of December, 1894, and annually thereafter, a license tax of a sum equal to one-half of one per centum of the gross earnings of said railway for the first five years of the life of this franchise; one per centum of the gross earnings of said railway for the following five years; one and one-half per centum of the gross earnings of said railway for the following five years, and two per centum of the gross earnings of said railway for the remainder of the life of this franchise. That the company shall on the last day of December, 1894, and the last day of December each year thereafter, file with the recorder of the city an itemized statement, verified by the oath of the president or superintendent of the company, showing accurately the gross earnings of the company for the year immediately preceding the date of such statement, and if the lines of street railway in this charter granted shall be run or operated in connection with any road beyond the corporate limits, all tickets for passage over such line beyond the corporate limits, over any such roads, in fixing in said statement the amount of such gross earnings, shall be taken and estimated as the same amount as the company shall for tickets within the corporate limits, charge passengers, and in case the corporate limits shall in future be extended, all the lines of the company within such boundary as extended, shall become and be subject to the terms and conditions of this charter, the same as if now within the corporate limits. The said grantees shall provide and maintain at their own cost a group or series of five (5) incandescent lights at all steam railway crossings and other dangerous points on their road, and all such lights shall be kept burning during such hours of the night as their cars shall be in operation.

Sec. 2. That this franchise is granted for the term of twenty-five (25) years from the date of the passage of this

resolution, and accepted, on the following conditions, viz.: That if the grantees, their successors and assigns, shall fail to perform all or any of the stipulations of this resolution, the city council, after sixty (60) days' notice, and on failure on the part of said grantees to provide a remedy or make satisfactory arrangements therefor, may, by a two-thirds vote, declare the privileges herein granted forfeited, and proceed to take possession of the roadbed, and control the same as if this resolution had not been passed.

Sec. 3. That nothing in this grant shall be construed as to prevent from paving, sewerage, laying gas or water pipes, altering, repairing, or in any manner improving any of the streets mentioned herein, or any other streets of said city; but all such improvements shall be made with as little injury as practicable to said railway and the operating thereof.

Sec. 4. That in the construction and operating of said railway, the said grantees and their successors and assigns, shall at all times conform to such ordinances, rules and regulations as have been or hereafter may be adopted by said city council of said city in relation to operating electric or cable street railways in said city, and for each violation thereof they shall be liable to a fine in any sum not exceeding one hundred dollars. That whenever the city council shall grant to any other person or company a franchise for a railway over or along any of the streets herein granted, and it shall be necessary in the opinion of said council to secure to such other persons or company a connection with any important center or terminus without increasing the number of tracks, then the grantees herein, shall allow running arrangements over grantees' tracks to such other persons or company making equitable payment for constructing, maintaining and operating the portion of said grantees tracks so used.

Sec. 5. That Salt Lake City shall in no way be liable or responsible for any accident or damage that may occur in the construction or operation of said railway by reason of the default or misconduct of the grantee and its successors and assigns, or their employees, and the acceptance of this grant shall be deemed an agreement on the part of said grantees, for

themselves and their successors and assigns to save the said city harmless from and against all liability, loss, cost, expense or damage of any nature arising out of any such default, or misconduct, or which may accrue by reason of any accident or injury which may occur in or by reason of the construction or operation of said railway, and to indemnify and repay said city for any loss, cost, expense or damage of any kind it may sustain by reason of such default, misconduct, accident or injury; and if any judgment for damages for such default, misconduct, accident or injury shall be recovered against said city, the recovery thereof and the judgment therefor shall be final as between the said city and the said grantees and their successors and assigns, and conclusive as to the liability of the latter to the former; provided, said grantees have had notice of the pendency of the suit in which said judgment is recovered and have been given an opportunity to defend the same.

Sec. 6. That if this grant, with the terms and conditions therein contained, be not accepted in writing by the said grantees within thirty (30) days after the passage of this resolution, or if the work be not commenced within six (6) months after said acceptance, this grant to become null and void; and as to all streets herein granted upon which the road shall not be completed and in operation within twenty (20) months after the date of said acceptance, this grant to become null and void.

Passed December 30, 1893.

A Resolution granting a franchise to William H. Rowe, R. M. Jones, Joseph W. Summerhays and George M. Cannon, for an electric railway.

Section 1. Be it resolved by the city council of Salt Lake City: That William H. Rowe, R. M. Jones, Joseph W. Summerhays and George M. Cannon, their successors and assigns, have the authority and consent of the city council, and the permission is hereby granted them, to construct and operate by

electric motive power a single track electric railway on all streets less than eight rods wide, and a double track electric railway on all streets which are eight rods or more in width, together with all the necessary switches for the accommodation of said road, on the following streets of Salt Lake City, namely:

First—Commencing at the intersection of Second East street and First South street, in Salt Lake City, Utah, and running thence south along the said Second East street to the intersection of Ninth South street, thence running east along said Ninth South street to the intersection of Third East street, thence south along said Third East street to Tenth South street, thence east along said Tenth South street to Seventh East street, thence south along Seventh East street to the city limits.

Second—Commencing at the intersection of Ninth South street and Second East street, and running thence west to Sixth West street, on the following conditions, viz.: Such track or tracks to be laid on such grades as are now or may be hereafter established by the city council. In consideration of this franchise, the grantees, their successors and assigns aforesaid, are hereby required to pave and keep in good repair, at their own cost, with the same material and in the same manner as the rest of the street is or may be paved, all the space inside the tracks, and a space of two feet each side of the same, including all spaces between double tracks, whether the tracks shall be straight, curved, parallel or otherwise. And the grantees aforesaid shall place cars upon said railway with all necessary modern improvements for the convenience and comfort of passengers, which shall be run thereon each and every day both ways, as often as the public convenience may require, and at a rate of speed not exceeding twelve miles an hour, and under such regulations as the city council may from time to time prescribe; provided, that the grantees aforesaid shall comply with the directions of the city council in the construction of the said railway and its switches, and in any other matter connected with the regulation of the same, and that the track or tracks shall be constructed in the center of the streets, unless

otherwise directed by the city council, and in such manner as shall be approved by the street supervisor, and that the trolley wire shall be suspended; the track to be laid and the road operated so as to cause no unnecessary impediment to the common and ordinary use of said street for all purposes, and that the water courses of said streets be left free and unobstructed; said track to be laid upon a good foundation, even with the surface of the roadway, and whenever streets shall be paved flat rails shall be used on such streets, same to be approved by the city council, and that good and permanent crossings shall be made by the grantees aforesaid at the intersections of the streets and elsewhere, wherever the same shall be necessary, at the discretion of the city council, and under the direction and to the acceptance of the street supervisor. The price of a single passage within the city limits shall not exceed five (5) cents, and no charge shall be made in excess thereof. And the said grantees and their assigns shall pay into the city treasury on the last day of December, 1894, and annually thereafter, a license tax of a sum equal to one-half of one per centum of the gross earnings of said railway for the first five years of the life of this franchise; one per centum of the gross earnings of said railway for the following five years; one and one-half per centum of the gross earnings of said railway for the following five years; and two per centum of the gross earnings of said railway for the remainder of the life of this franchise. That the company shall on the last day of December, 1894, and the last day of December each year thereafter, file with the recorder of the city an itemized statement, verified by the oath of the president or superintendent of the company, showing accurately the gross earnings of the company for the year immediately preceding the date of such statement, and if the lines of street railway in this charter granted shall be run or operated in connection with any road beyond the corporate limits, all tickets or passage over such line beyond the corporate limits, over any such roads, in fixing in said statement the amount of such gross earnings shall be taken and estimated at the same amount as the company shall for tickets within corporate limits, charge passengers, and in

case the corporate limits shall in the future be extended, all the lines of the company within such boundary as extended, shall become and be subject to the terms and conditions of this charter, the same as if now within the corporate limits. The said grantees shall provide and maintain at their own cost a group or series of five (5) incandescent lights at all steam railway crossings and other dangerous points on their road, and all such lights shall be kept burning during such hours of the night as their cars shall be in operation.

Sec. 2. That this franchise is granted for the term of twenty-five (25) years from the date of the passage of this resolution, and accepted on the following conditions, viz.: That if the grantees, their successors and assigns, shall fail to perform all or any of the stipulations of this resolution, the city council, after sixty (60) days' notice, and on failure on the part of said grantees to provide a remedy or make satisfactory arrangements therefor, may, by a two-thirds vote, declare the privileges herein granted forfeited, and proceed to take possession of the roadbed, and control the same as if this resolution had not been passed.

Sec. 3. That nothing in this grant shall be construed as to prevent from paving, sewerage, laying gas or water pipes, altering, repairing or in any manner improving any of the streets mentioned herein, or any other streets of said city; but all such improvements shall be made with as little injury as practicable to said railway and the operating thereof.

Sec. 4. That in the construction and operation of said railway, the said grantees and their successors and assigns, shall at all times conform to such ordinances, rules and regulations as have been or hereafter may be adopted by said city council of said city in relation to operating electric street railways in said city, and for each violation thereof they shall be liable to a fine in any sum not exceeding one hundred dollars. That whenever the city council shall grant to any other person or company a franchise for a railway over or along any of the streets herein granted, and it shall be necessary in the opinion of said council to secure to such other persons or company a connection with any important center or terminus without in-

creasing the number of tracks, then the grantees herein, shall allow running arrangements over grantees' tracks to such other persons or company making equitable payment for constructing, maintaining and operating the portion of said grantees' tracks so used.

Sec. 5. That Salt Lake City shall in no way be liable or responsible for any accident or damage that may occur in the construction or operation of said railway by reason of the default or misconduct of the grantee and its successors and assigns, or their employes, and the acceptance of this grant shall be deemed an agreement on the part of said grantees, for themselves and their successors and assigns to save the said city harmless from and against all liability, loss, cost, expense or damage of any nature arising out of any such default, or misconduct, or which may accrue by reason of any accident or injury which may occur in or by reason of the construction or operation of said railway, and to indemnify and repay said city for any loss, cost, expense or damage of any kind, it may sustain by reason of such default, misconduct, accident or injury; and if any judgment for damages for such default, misconduct, accident or injury shall be recovered against said city, the recovery thereof and the judgment therefor shall be final as between the said city and the said grantees and their successors and assigns, and conclusive as to the liability of the latter to the former; provided, said grantees have had notice of the pendency of the suit in which said judgment is recovered and have been given an opportunity to defend the same.

Sec. 6. That if this grant, with the terms and conditions therein contained, be not accepted in writing by the said grantee within thirty (30) days after the passage of this resolution, or if the work be not commenced within six (6) months after said acceptance, this grant to become null and void and as to all streets herein granted upon which the road shall not be completed and in operation within twenty (20) months after the date of said acceptance, this grant to become null and void.

Effective December 2, 1893.

SALT LAKE AND SUBURBAN RAILWAY COMPANY.**An Ordinance granting a franchise to the Salt Lake and Suburban Railway company.**

Be it resolved by the city council of Salt Lake City, Utah :

Section 1. That the Salt Lake & Suburban Railway company, a corporation, its successors and assigns, have the authority and consent of the city council, and the permission is hereby granted it, to construct and operate by electric or compressed air motive power a double-track street railroad, together with all the necessary switches and turnouts for the accommodation of said road, for the purpose of carrying passengers and light express matter, on the following streets of said city, namely :

From the intersection of First South and Second East streets, thence south on Second East street to Ninth South street ; thence east on Ninth South street to Third East street ; thence south on Third East street to city limits.

On the following conditions, viz. : Such track or tracks to be laid on such grades as are now or may hereafter be established by the city council. In consideration of this franchise the grantee, its successors and assigns aforesaid, are hereby required to pave and to keep in good repair with the same material and in the manner as the rest of the street is, or may be, paved, the space inside the tracks, and a space two feet on each side of the outer rails, including all spaces between double tracks where the same may be constructed ; and also to use no steam power, unless the same be stationary, on any part of the road for propelling cars unless hereafter especially permitted by the city council. And the grantee aforesaid shall place cars upon said railroad with all necessary modern improvements for the convenience and comfort of the passengers, including vestibules, airbrakes and fenders, which cars shall be run thereon each and every day, both ways, as often as the public convenience may require, and at least once an hour each way between 6 a. m. and 11 o'clock p. m., and at a rate of speed not

exceeding twelve miles per hour, and under such regulations as the city council may from time to time prescribe; Provided, that the grantee aforesaid shall comply with the directions of the city council in the construction of the said railroad, and its switches and turnouts, and in any other matter connected with the regulation of the same, and that the track or tracks shall be constructed in the center of the streets, unless otherwise directed by the city council, and in such a manner as shall be approved by the street supervisor and city engineer; the track to be laid and the road operated so as to cause no unnecessary impediment to the common and ordinary use of said streets for all purposes, and that the water courses of said streets be left free and unobstructed; said track to be laid upon a good foundation even with the surface of the roadway, and whenever streets shall be paved flat rails shall be used on such streets; and that good and permanent crossings shall be made by the grantee aforesaid at the intersection of streets and elsewhere, wherever the same shall be necessary, at the discretion of the city council and under the direction and to the acceptance of the street supervisor and city engineer. The price of a single passage within the limits of Salt Lake City shall not exceed five cents, and no charge shall be made in excess thereof. Express rates shall be equitable and uniform.

Said company shall pay into the city treasury 1 per cent of its gross earnings each and every year on its entire system in the State of Utah, but otherwise said company shall not be liable to any per capita tax whatever to the city.

Sec. 2. That this franchise is granted for the term of twenty years from the date of the passage of this resolution, and accepted on the following conditions, viz.: That if the grantee, its successors and assigns, shall fail to conform to any or all the stipulations and requirements of this resolution upon it imposed, the city council, after sixty days' notice, and on failure on the part of said company to provide a remedy or make satisfactory arrangements therefor, may, by a two-thirds vote, declare the privileges herein granted forfeited, and proceed to take possession of the roadbed and control the same as if this resolution had not been passed.

Sec. 3. That nothing in this grant shall be so construed as to prevent Salt Lake City, or its authorized agents, from paving, sewerage, laying gas or water mains or pipes, altering, repairing or in any manner improving any of the streets mentioned herein, or any other streets of said city; but all such improvements shall be made with as little injury as practicable to said railway and the operating thereof.

Sec. 4. That in the construction and operation of said railway, the said grantee, and its successors and assigns, shall at all times conform to such ordinances, rules and regulations as have been or may hereafter be adopted by the city council of said city in relation to operating and maintenance of railroads, street railways or tramways in said city, and for each violation thereof they shall be liable to a fine as in the ordinances provided. That whenever the city council shall find it necessary or desirable to grant to any other street railroad company a franchise over any of the streets covered by the grant herein, to secure to such other company a connection with any important center or terminus, the grantee herein shall allow running arrangements, over grantee's tracks to such other company upon such other company making equitable payment for constructing, maintaining and operating the portion of said grantee's tracks so used.

Sec. 5. That Salt Lake City shall in no way be liable or responsible for any accident or damage that may occur in the construction or operation of said railway by reason of the default, misconduct or neglect of the grantee or its successors or assigns, or their employes, and the acceptance of this grant shall be deemed an agreement on the part of the said grantee, for itself and its successors and assigns, to save the said city harmless from and against any and all liability, loss, costs, expense or damage of any nature arising out of any such default, misconduct or neglect, or which may accrue by reason of any accident or injury which may occur in or by reason of the construction or operation of said railway, and to indemnify and repay said city for any loss, costs, expense or damage of any kind it may sustain by reason of any such default, misconduct, accident or injury; and if any judgment for damages for any such

default, misconduct, accident or injury shall be recovered against the said city, the recovery thereof and the judgment therefor, shall be final as between the said city and the said grantee and its successors and assigns, and conclusive as to the liability of the latter to the former; provided, said grantee has had notice of the pendency of the suit in which said judgment is recovered and has been given an opportunity to defend the same.

Sec. 6. That if this grant, with the terms and conditions therein contained, be not accepted in writing by said grantee within sixty (60) days after the passage of this resolution, or if work be not commenced within ninety days, and the road completed and in operation within one year after said acceptance, then this grant shall become null and void.

Effective August 14, 1902.

An Ordinance amending an ordinance granting a franchise to the Salt Lake and Suburban Railway company.

Be it resolved by the city council of Salt Lake City, Utah:

Section 1. That section 6 of an ordinance entitled "An ordinance granting a franchise to the Salt Lake and Suburban Railway company," passed by the city council August 11, 1902, and approved by the mayor August 14, 1902, be, and the same is hereby amended to read as follows:

"Sec. 6. That if this grant, with the terms and conditions therein contained, be not accepted in writing by said grantee within sixty (60) days after the passage of this resolution, or if work be not commenced within sixty (60) days, and the road completed and in operation on or before October 8, 1904, then this grant shall become null and void."

Sec. 2. That if the provisions of said section 6, as amended, be not accepted in writing by the grantee within ten (10) days after the passage of this resolution, and if work on said road be not renewed within sixty (60) days, and said work continually conducted, then the grant contained in said franchise shall become null and void.

Effective August 18, 1903.

SALT LAKE VALLEY RAILWAY COMPANY.

An Ordinance granting to the Salt Lake Valley Railway company, its successors and assigns, a right to construct, maintain, use and operate a street railway on certain streets, avenues and public places in Salt Lake City, Utah.

Section 1. Be it ordained by the mayor and city council of Salt Lake City, Utah, that consent, permission and authority are hereby given, granted and duly vested in the Salt Lake Valley Railway company, a corporation organized and existing under the laws of Utah, and to its successors and assigns, to construct, maintain and operate a single or double-track street railway, and that no turnouts or switches be laid without special permission from the city council, said tracks to be laid with T rails of a weight of not less than 70 pounds to the linear yard, laid to a gauge of four feet eight and one-half inches in, along and through the streets, roads, public lands and highways hereinafter designated and upon the following terms and conditions.

Sec. 2. The route of said railway shall be as follows: Commencing at the intersection of First West and Third South street, running thence north on center of said First West street 8192 feet, thence north 29 degrees 50 minutes west 370 feet over open space to the south side of Warm Springs property; thence north on a line to be laid out by the city engineer of Salt Lake City, through the Warm Springs property and north of that point to the northern boundary of the city, with the understanding that the road is to be kept on the east side of the county road.

Should the present lessees of the Warm Springs property waive their rights, then the land belonging to the city which is by this franchise granted to the said railway company is granted upon the following terms, viz.: That before the said railway company shall enter upon or proceed to use said right of way over the city land there shall be named by the city one citizen, by the said railroad company one citizen, who as soon

as appointed shall proceed to appraise the value of the land to be used for such right of way. If the two citizens so appointed cannot agree as to the value of said land, they shall select a third citizen, and when the three appraisers so selected shall or a majority thereof have agreed upon the value of said land, the amount of the valuation so fixed shall be paid into the city treasury by the said railway company.

Sec. 3. Said track or tracks shall be laid along the center of the streets unless otherwise directed by the city council, and in a manner to be approved by the city council and made to conform to the established grade of said streets, and said railroad company shall be required to gravel for ten feet on each side of the tracks, the work to be done under the direction of the supervisor of streets of Salt Lake City, and if said grade is afterward changed by order of the city council, said grantee, its successors or assigns shall, at its own expense, change the track or tracks to conform to same, and shall at all times keep the road ballasted with gravel to within one and one-half inches of the top of the rail. If at any place any of said streets or avenues upon which a right of way is hereby granted shall not be at grade, the part to be occupied by said track or tracks and for a sufficient distance on either side to make the street passable must be brought to grade by and at the sole expense of said grantee, its successors and assigns. Whenever any of the streets along which said right of way is granted shall be paved, then said grantee, its successors and assigns shall pave between the rails and between the tracks and for a distance of six inches beyond the end of the ties with such material as the city council may direct, and shall in all respects conform to the requirements of section 266 of the Revised Statutes of Utah of 1898.

Sec. 4. Said grantee, its successors and assigns, shall have the right to employ as a means of traction an overhead trolley-wire system of electricity, with all necessary wires and poles, what is known as the underground electric trolley system, or the use of compressed or liquid air; but the use of any other means of traction than those mentioned herein is forbidden by the terms of this franchise.

Sec. 5. Said grantee, its successors and assigns, shall repair so much of all streets, crosswalks, gutters and watercourses as may be disturbed during the construction or maintenance and operation of said railway, and shall at all times keep in good repair the space between the rails and between the tracks and extending ten feet on each side and not less than six inches beyond the end of the ties. It shall also lay and maintain at its own expense, at all watercourses crossed by its tracks, good and sufficient waterboxes, so as to admit of the free passage of water.

Sec. 6. Said grantee, its successors or assigns, shall put in and maintain such crossings where the line of said railway intersects streets of Salt Lake City as shall from time to time be required by the city council and shall, without requirement from said city council, at once upon the construction of said road put in and maintain suitable crossings at such intersections.

Sec. 7. Said tracks shall be laid and the road operated so as to cause no unnecessary impediment to the common and ordinary use of the streets upon which it is laid; and in the construction and operation of said railway, said grantee, its successors and assigns, shall at all times conform to such ordinances, rules and regulations as have been or hereafter may be adopted by the city council of Salt Lake City in relation to the construction and operation of electric street railways within said city.

Sec. 8. Said grantee, its successors and assigns, shall have the right to do a general passenger business and in connection therewith shall have the right to do an inter-urban express business for hire on said railway, and shall be allowed to load and unload such light inter-urban express matter only at such places as shall be permitted by the city council of Salt Lake City, provided, however, that said corporation, its successors and assigns, shall run no freight trains or freight cars upon said road, excepting only for the purpose of hauling material for the building or repair of its road or the repair of the streets herein required, and its privilege of doing an inter-urban express business is limited to carrying the same in a closed ex-

press car in connection with its regular traffic or in a closed compartment in connection with the passenger car; the intention being to prohibit said grantee, its successors or assigns, from doing a general railway business except in the carrying of passengers and light express matter in its own cars in the manner hereinbefore provided.

Sec. 9. Nothing in this grant shall be construed so as to prevent the paving, sewerage, laying gas or water pipes, altering, repairing or in any manner improving any of the streets herein mentioned, or any other streets of said city; but all such improvements shall be made with as little injury as practicable to said railway and the operating thereof.

Sec. 10. The rate of fare to be charged by said grantee, its successors or assigns, shall be not to exceed five cents for the carriage of a single passenger within the limits of Salt Lake City.

Sec. 11. The rights and franchises herein granted shall become binding upon the written acceptance of the Salt Lake Valley Railway company filed with the city recorder of Salt Lake City within sixty days next after the passage of this ordinance.

Sec. 12. The grantee herein shall place vestibule cars upon said railway with all necessary and modern improvements for the convenience and comfort of passengers, which shall be run thereon each and every day both ways, at least every thirty minutes within the city limits between the hours of 7 a. m. and 7 p. m., and every hour from 7 p. m. to 11 p. m., or as much oftener as the public convenience may require, and under such regulations as the city council may from time to time prescribe.

Sec. 13. The grantee herein, its successors and assigns, shall pay into the treasury of Salt Lake City a license tax of not less than \$25 per annum for each and every motor car operated upon said railway by it. Said tax shall become payable after said road shall be in operation.

Sec. 14. If this franchise be not accepted in writing by the grantee within sixty days after the granting of the same, or if the grantee shall not in good faith commence the con-

struction of said railway within ninety days after the granting of this franchise, or if the grantee shall not continuously prosecute the construction of the same and finally complete and have the same in operation within one year after the acceptance of this franchise, then, upon the happening of either or any of such events, this ordinance and franchise with all its provisions herein embodied shall become absolutely null and void without any action on the part of the city council.

Sec. 15. That Salt Lake City shall in no way be liable or responsible for any damage that may occur in the construction of said railway by reason of the default or misconduct of the said grantee and its successors and assigns or their employes; and the acceptance of this grant shall be deemed an agreement on the part of said grantee, for itself and its successors and assigns, to save the said city harmless from and against all liability, loss, costs, expense or damage of any nature arising out of any default or misconduct, or which may accrue by reason of any accident or injury which may occur in or by reason of the construction or operation of said railway; and to indemnify and repay said city for any loss, costs, expense or damage of any kind it may sustain by reason of any such default, misconduct, accident or injury; and if any judgment for damages for any such default, misconduct, accident or injury shall be recovered against the said city, the recovery thereof and the judgment therefor shall be final as between the said city and the said grantee and its successors and assigns and conclusive as to the liability of the latter to the former.

Sec. 16. This franchise is granted subject to the leasehold interest of the present lessees of the Warm Springs property and subject also to prior rights, if any exist, in favor of any person or corporation in any portion of the right of way herein granted.

Sec. 17. The grantee herein, its successors and assigns shall hold the city harmless from any liability on account of damages to any private property within the city of Salt Lake by reason of the granting of this franchise.

Sec. 18. This franchise is further granted and is accepted by said grantee upon the express conditions that if the said

grantee, its successors and assigns, shall fail in the performance of any of the conditions imposed herein, or if the grantee herein, its successors or assigns, shall violate any provisions herein contained, then, and upon the happening of the failure to perform any condition herein imposed, or upon the violation of said grantee of any provision herein expressed, the city council of Salt Lake City may give notice to the grantee, its successors or assigns, to perform such condition or to desist from violation of such provision, and if the grantee or its successors or assigns shall fail for sixty days after such notice is given or shall fail to desist from the violation of such provision after such notice is given, then and in that event the city council may, by a majority vote, declare all privileges herein granted forfeited and proceed to take possession of the roadbed and to control the same as if this franchise had never been granted.

Sec. 19. This franchise is granted for the term of fifty years from the date of the passage of this ordinance, subject, however to all the conditions and limitations herein expressed.

Effective May 16, 1900.

OTTO STALLMAN AND STEPHEN A. ESTES.

A Resolution granting a franchise to Otto Stallman and Stephen A. Estes for a street railway.

Section 1. Be it resolved by the city council of Salt Lake City: That Otto Stallman and Stephen A. Estes, their successors and assigns, have the authority and consent of the city council, and the permission is hereby granted them, to construct and operate by electric or cable motive power, a single or double track street railroad, together with all the necessary switches for the accommodation of said road, on the following streets of said city, namely:

First—Commencing at the Warm Springs, and running thence northwesterly along the county road to the intersection of the county road with Ninth North street; thence running

west along Ninth North street to the intersection of Ninth North street with Marion boulevard; thence north along Marion boulevard to the intersection of Marion boulevard with Everett street; thence west along Everett street to the west line of the Kinney & Gourlay improved city plat; thence west along the proposed continuation of Everett street, to be dedicated to the public as a street, to the intersection of the proposed Amos avenue, also to be dedicated to the public as a street, with Everett street; thence north along the proposed Amos avenue into Amos avenue as now on record in Kinney's Copper Plant Subdivision No. 2; thence north along Amos avenue to the intersection of Amos avenue with Blucher street; thence west along Blucher street to the west line of Kinney's Copper Plant Subdivision No. 1.

Second—Commencing at the intersection of Third West and Fourth North street, thence running west along Fourth North street to the intersection of Ninth West street and Fourth North street; thence north along Ninth West street to the intersection of Ninth West street and Ninth North street.

On the following conditions, viz.:

Such track or tracks to be laid on such grades as are now or may hereafter be established by the city council. In consideration of this franchise, the grantees, their successors and assigns aforesaid, are hereby required to pave and keep in good repair, with the same material, and in the manner as the rest of the street is or may be paved, the space inside the tracks, and a space two feet each side of the same, including all space between double tracks where the same may be constructed, and also to use no steam power, unless the same be stationary, on any part of the road for propelling cars, unless permitted by the city council. And the grantees aforesaid shall place cars upon said railroad with all necessary modern improvements for the convenience and comfort of passengers, which shall be run thereon each and every day both ways, as often as the public convenience may require, and at a rate of speed not exceeding twelve miles an hour, and under such regulations as the city council may from time to time prescribe; Provided, That the grantees aforesaid shall comply with the directions of the

city council in the construction of the said railroad and its switches, and in any other matter connected with the regulation of the same, and that the track or tracks shall be constructed in the center of the streets, unless otherwise directed by the city council, and in such a manner as shall be approved by the street supervisor, and that the trolley wire (if electricity be used), shall be suspended from wires attached to poles at or near the curb line of the street, the track to be laid and the road operated so as to cause no unnecessary impediment to the common and ordinary use of said streets for all purposes, and that the water courses of said streets be left free and unobstructed; said track to be laid upon a good foundation, even with the surface of the roadway, and whenever streets shall be paved flat rails shall be used on such streets, and that good and permanent crossings shall be made by the grantees aforesaid at the intersection of streets and elsewhere wherever the same shall be necessary, at the discretion of the city council and under the direction and to the acceptance of the street supervisor. The price of a single passage shall not exceed 5 cents, and no charge shall be made in excess thereof.

Sec. 2. That this franchise is granted for the term of twenty-five years from the date of the passage of this resolution, and accepted on the following conditions. viz.: That if the grantees, their successors and assigns shall fail to perform all or any of the stipulations of this resolution, the city council, after sixty days' notice, and on failure on the part of said grantees to provide a remedy or make satisfactory arrangements therefor, may, by a two-thirds vote declare the privileges herein granted forfeited, and proceed to take possession of the roadbed, and control the same as if this resolution had not been passed.

Sec. 3. That nothing in this grant shall be so construed as to prevent Salt Lake City or its authorized agents from paving, sewerage, laying gas or watermains or pipes, altering, repairing or in any manner improving any of the streets mentioned herein, or any other streets of said city; but all such improvements shall be made with as little injury as practicable to said railway and the operating thereof.

Sec. 4. That in the construction and operation of said railway, the said grantees and their successors and assigns, shall at all times conform to such ordinances, rules and regulations as have been or may hereafter be adopted by said city council of said city in relation to operating railroads, street railways or tramways in said city, and for each violation thereof they shall be liable to a fine in any sum not exceeding one hundred dollars. That whenever the city council shall find it necessary or desirable to grant to any other street railroad company a franchise over any of the streets herein granted, to secure to such other company a connection with any important center or terminus, the grantees herein shall allow running arrangements over grantees' tracks to such other company, upon such other company making equitable payment for constructing, maintaining and operating the portion of said grantees' track so used.

Sec. 5. That Salt Lake City shall in no way be liable or responsible for any accident or damage that may occur in the construction or operation of said railway by reason of the default or misconduct of the grantee and its successors and assigns or their employees, and the acceptance of this grant shall be deemed an agreement on the part of said grantees, for themselves and their successors and assigns, to save the said city harmless from and against all liability, loss, costs, expense or damage of any nature arising out of any such default or misconduct, or which may accrue by reason of any accident or injury which may occur in or by reason of the construction or operation of said railway, and to indemnify and repay said city for any loss, costs, expense or damage of any kind it may sustain by reason of any such default, misconduct, accident or injury; and if any judgment for damages for any such default, misconduct, accident or injury shall be recovered against said city, the recovery thereof and the judgment therefor shall be final as between the said city and the said grantees and their successors and assigns, and conclusive as to the liability of the latter to the former: Provided, said grantees have had notice of the pendency of the suit in which said judgment is recovered and have been given an opportunity to defend the same.

Sec. 6. That if this grant, with the terms and conditions therein contained, be not accepted in writing by said grantees within thirty days after the passage of this resolution, or if work be not commenced within three (3) months, and the line commencing at the Warm Springs and running northwesterly along the county road to its intersection with Ninth North street, thence running west along Ninth North street to its intersection with Marion boulevard, thence north along Marion boulevard to its intersection with Everett street and said line commencing at the intersection of Third West street and Fourth North street, and thence running west along Fourth North street to the intersection of Ninth West street, thence north along Ninth West street to its intersection by Ninth North street completed within ten (10) months after said acceptance, this grant shall become null and void.

Sec. 7. The said grantees and their assigns shall pay into the treasury of the city each year as a special tax, in consideration of the granting of this franchise, and in addition to the ordinary property taxes, a sum equal to one-half of 1 per centum of the gross earnings of said railway for the first five years of the life of this franchise, 1 per centum of the gross earnings of the said railway for the following five years, and 1 1-2 per centum of the gross earnings of said railway for the remainder of the life of the franchise. And for the purpose of enabling the city to arrive at the account of said special tax, said company shall, on the first day of January of each year, file with the recorder of said city a report verified by the oath of some officer of said company showing in detail the gross earnings of said railway company from all sources for the year next preceding the date of the filing of such report and said special tax shall be due and payable on the filing of such report.

Effective August 10, 1893.

A Resolution granting extensions of time in which to comply with the resolution which granted to Otto Stallman and Stephen A. Estes a franchise for a street railway, passed by the city council August 8, 1893, and approved by the mayor August 10, 1893.

Section 1. Be it resolved that Otto Stallman and Stephen A. Estes, to whom a franchise for a street railway was heretofore granted by a resolution passed by the city council of Salt Lake City, Utah Territory, on the 8th day of August, 1893, be granted until the 15th day of December, 1893, to accept in writing the terms and conditons of said franchise; and

Resolved further, that the said persons be granted until the 31st day of May, 1894, to commence work under said franchise; and

Resolved further, that the said persons be granted ten months from the date of commencing work under said franchise to complete the lines described in section 6 of said resolution granting said franchise.

Sec. 2. This resolution to take effect and be in full force from and after its passage and approval.

UTAH & PACIFIC IMPROVEMENT COMPANY.

An Ordinance granting a right of way, through certain streets of Salt Lake City, for a railroad, to the Utah and Pacific Improvement company, its successors and assigns.

Section 1. Be it ordained by the city council of Salt Lake City: That the Utah and Pacific Improvement company, its successors and assigns, have the authority and consent of the city council, and permission is hereby granted, to construct and operate, by cable, electric, steam or other motive power, a single track, standard gauge railroad, on the following streets of the said city, to-wit:

Commencing on South Temple street at a point about two

hundred feet west of the west side of Fourth West street, running southeasterly on about an eighteen degree curve to the center of Fourth West street, thence south to Third South street, thence east on Third South street to Third West street, thence southeasterly onto block 48, Plat "A," Salt Lake City survey; said block and all of said streets being in Salt Lake City and County, State of Utah, subject to the following conditions, to-wit:

First—That all tracks except curves laid by said grantee, its successors or assigns, shall be in the center of the streets, unless otherwise directed by the city council, and in such a manner as may be approved by the city council.

Second—That all of said railway tracks shall be laid upon and conform to the established grade of the several streets upon which they run, and if said grade is afterwards changed by order of the city council, said grantee, its successors or assigns, shall, at its own expense, change the track to conform to the same, and shall keep the road ballasted with gravel to within one and one-half inches of the top of the rails; Provided, that whenever any of the streets along which the said railway is built shall be paved, then said grantee, its successors or assigns, shall pave between the rails, and for a space of ten feet outside of each rail, with the same material as that used in the street pavement.

Third—That said grantee, its successors or assigns, shall gravel and maintain in good condition, until paved, at the established grade, the entire width of said streets along which the track runs, subject to the approval of the supervisor of streets. Said improvements to be made within one year after the commencement of the building of said road.

Fourth—Said grantee, its successors or assigns, shall put in and maintain such crossings where the line of said railroad intersects streets of Salt Lake City, as shall be from time to time required by the city council, and shall, without requirement from said city council, at once upon construction of their said road, put in and maintain said crossings.

Fifth—That said track shall be laid and the road operated so as to cause no unnecessary impediment to the common and

ordinary use of said streets upon which it is laid. And said grantee shall comply with the directions of said city council in the construction of the line and the operation of the same within the limits of said city.

Sixth—The rate of speed at which trains, engines or cars shall be run through said city shall not exceed eight miles per hour. And no train or car shall be run on said railway without a locomotive engine or other motive power attached thereto.

Seventh—Good and sufficient boxes to convey water shall be laid and maintained in good condition at the expense of said grantee at all the water ditches crossed by said railway, so as to admit of the free passage of water.

Eighth—If engines, trains or cars are run at night a red light shall be kept in a conspicuous place thereon, and a white light shall be placed upon the front of such engine, car or train.

Ninth—The permission and authority hereby granted are upon the further expressed conditions, that the said grantee, its successors and assigns, shall and will forever indemnify and hold said Salt Lake City harmless against and from any and all damages, judgments, decrees, costs and expenses which it may suffer or which may be recovered or obtained against it for or on account of any accident or damages that may occur upon said road by reason of the construction or operation thereof, or which may be recovered or obtained against said city for, or by reason of the granting of such privileges and authority, or for or by reason of, or growing out of, or resulting from the passage of this ordinance, or any matter or thing connected therewith, or with the exercise by said grantee, its successors or assigns, of any of the privileges and authority hereby granted, or from any act or acts done or committed by said grantee, its successors or assigns, under or by virtue of any of the provisions hereof.

And if any judgment for damages for any such loss, default, misconduct, accident or injury to persons or property shall be recovered against said city, the recovery thereof, and the judgment therefor shall be final and conclusive as between said city and said grantee, its successors and assigns; Provided said grantee has had notice of the pendency of the suit in

which such judgment is recovered and has been given an opportunity to defend the same. And it is expressly provided that upon the recovery of any final judgment or judgments against said city as aforesaid, the said grantee, its successors or assigns, shall immediately and without prior payment of such judgment or judgments by said city, be liable to pay and shall pay the amount or amounts thereof, with costs, interest and expenses therein incurred to said city; and the fact that said city may not have paid such judgment or judgments, costs, interest and expenses, or any part thereof, shall constitute no defense on the part of said grantee, its successors or assigns, to the immediate payment of the whole thereof to said city.

Tenth—No rights whatever shall be acquired by said Utah and Pacific Improvement company, its successors or assigns, under this ordinance, until it or they shall have complied with all the terms of a resolution of the city council of said city, approved March 12th, 1896, entitled "A Resolution granting Pioneer Square to the Utah and Pacific Improvement company for railroad depot purposes."

Sec. 2. That this franchise is granted for the full term of twenty-five years from and after the passage of this ordinance.

Sec. 3. That said grantee, its successors or assigns, shall operate said road by the running of at least one train each way on each and every day after the completion of said road.

Sec. 4. That if the grantee, or its successors and assigns, shall fail to keep and perform all the stipulations of this ordinance, or shall fail or refuse to comply with all the rules, regulations and ordinances of Salt Lake City, relating to railroads and the running of the same within the city limits, which are now enacted, or which shall hereafter be enacted, then the city council, after sixty days' notice, and on failure on the part of said grantee to provide a remedy or make satisfactory arrangements therefor, may, by a majority vote, declare the privileges herein granted forfeited, and proceed to take possession of the said road and control the same as if this ordinance had not been passed.

Sec. 5. If this grant, with the terms and conditions here-

in appended, be not accepted in writing by the grantee within thirty days after the passage of this ordinance, the same shall be void and of no effect.

Sec. 6. This ordinance shall take effect from its passage and approval.

Effective April 2, 1896.

WEST SIDE RAPID TRANSIT COMPANY.

A Resolution granting a franchise to the West Side Rapid Transit company.

Section 1. Be it resolved by the city council of Salt Lake City: That the West Side Rapid Transit company, its successors and assigns, have the authority and consent of the council, and the permission is hereby granted it, to construct and operate by any motive power, excepting only animal or steam locomotive, a single or double-track street railroad, together with all the necessary switches for the accommodation of said road, on the following streets and roads of said city, to-wit: Commencing at the intersection of Second South and First West streets; thence South along First West street to Sixth South street; thence west along Sixth South street to Eighth West street; thence south along Eighth West street to Eighth South street; thence west on Eighth South street to the west bank of the River Jordan; thence west along Indiana avenue to the county road, running north and south upon the center line of section ten, township one south, range one west; thence south along said county road forty-six rods, more or less, to the intersection of said county road with a county road running east and west; thence west along said last-named road to the city limits.

Also, commencing at the intersection of Sixth South and Second West streets, thence south along Second West street to Tenth South or Roper street; thence west along said last-named street to the west bank of the Jordan river; thence west along that certain street designated in the official plat of Bur-

lington Place as Colorado street to the street designated as First street in the official plat of Glendale Park Addition; thence south along said First street to the county road running along the southerly boundary of said Glendale Park Addition; thence west along said last-named county road to the city limits.

Also, commencing at the intersection of Indiana avenue and that certain street designated as Second street in the official plat of Glendale Park Addition, south along said Second street to the road running east and west upon the southerly boundary of said Glendale Park Addition.

On the following conditions, viz.:

Such track or tracks to be laid on such grades as are now or may hereafter be established by the city council. In consideration of this franchise, the grantee, its successors and assigns aforesaid, are hereby required to keep in good repair the space inside and between the tracks, and a space of two feet each side of the same, with the same material as is used on the street where such track is laid; and also to use no steam power, unless the same be stationary, on any part of the road for propelling cars, unless permitted by the city council. And the grantee aforesaid shall place cars upon said railroad, with all necessary modern improvements for the convenience and comfort of the passengers, which shall be run thereon each and every day, both ways, as often as the public convenience may require, at a rate of speed not exceeding twelve miles per hour, and under such regulations as the city council may from time to time prescribe; Provided, that the grantee aforesaid shall comply with the directions of the city council in the construction of said railroad, and in any other matters connected with the regulation of the same, and that the track or tracks shall be constructed in the center of the streets, unless otherwise directed by the city council, and in such manner as shall be approved by the street supervisor, the track to be laid and the road operated so as to cause no unnecessary impediment to the common and ordinary use of said streets for all purposes; and that the water-courses of said streets shall be left free and unobstructed; said track to be laid upon good foundation, even with the

surface of the roadway, and good and permanent crossings shall be made by the grantee aforesaid at the intersection of the streets and elsewhere wherever the same shall be necessary, at the discretion of the city council and under the direction and to the acceptance of the street supervisor; and upon such portion of streets herein granted as are only partially graded, said grantee shall so grade said streets as to give trackage to vehicles equivalent to the portion occupied by said grantee; and all tracks constructed by said grantee wherever streets shall be paved shall be with the flat rail; and on such streets as are but four rods wide, and on Indiana avenue, said grantee shall construct no more than one track, and no switches, and the space between double tracks, or between main track or any switches, shall not exceed seven feet, unless authorized by the city council. The price of a single passage shall not exceed ten cents, and no charge shall be made in excess thereof. Said company shall pay into the city treasury a per capita tax of one and one-quarter mills for each and every fare collected.

Sec. 2. That this franchise is granted for the term of twenty years from the date of the passage of this resolution, and accepted on the following conditions, viz.: That if the grantee, its successors and assigns shall fail to perform all the stipulations of this resolution, the city council, after sixty days' notice and on failure on part of said company to provide a remedy or make satisfactory arrangement therefor, may, by a two-thirds vote, declare the privileges herein granted forfeited, and proceed to take possession of the road-bed, and control the same as if this resolution had not passed.

Sec. 3. That nothing in this grant shall be construed as to prevent Salt Lake City or its authorized agents from paving, sewerage, or laying gas or water mains or pipes, altering, repairing, or in any manner improving any of the streets mentioned herein, or any other streets of said city, but all such improvements shall be made with as little injury as practicable to said railways and the operating thereof.

Sec. 4. That in the construction and operation of said railroad, the said grantee and its successors and assigns shall

at all times conform to such ordinances, rules and regulations as have been or may hereafter be adopted by the city council of said city in relation to operating railroads, street railways or tramways in said city, and for each violation thereof they shall be liable to a fine in a sum not exceeding one hundred dollars.

Sec. 5. That whenever the city council shall find it necessary or desirable to grant to any other street railroad company a franchise over any of the streets herein granted, to secure to such other company a connection with any important center or terminus, the grantee herein shall allow running arrangements over grantee's tracks to such other company on streets where said grantee may have double track, upon such other company making equitable payment for constructing, maintaining and operating the portion of said grantee's track so used.

Sec. 6. That Salt Lake City shall in no way be liable or responsible for any accident or damage that may occur in the construction or operation of said railway by reason of the default or misconduct of said grantee and its successors and assigns, or its employees, and the acceptance of this grant shall be deemed an agreement on the part of said grantee for itself and successors and assigns to save the said city harmless from and against all liability, loss, costs, expenses and damage of any nature arising out of any such default or misconduct, or which may accrue by reason of any accident or injury which may occur in or by reason of the construction or operation of said railway, and to indemnify and repay said city for any loss, costs, expense or damage of any kind it may sustain by reason of any such default, misconduct, accident or injury shall be recovered against the said city, the recovery thereof and the judgment therefor shall be final as between the said city and the said grantee and its successors and assigns, and conclusive as to the liability of the latter to the former; Provided, said grantee has had notice of the pendency of the suit in which such judgment is recovered, and has been given an opportunity to defend the same.

Sec. 7. That if this grant, with the terms and conditions herein contained, be not accepted in writing by said grantee

within thirty days after the passage of this resolution, or if work be not commenced within sixty days after said acceptance, or if work be not completed on four miles of the streets and roads hereinbefore designated within six months after said acceptance, then this grant and franchise shall become null and void, and all rights on streets herein granted on which said road is not actually constructed and operated within five years after such acceptance, shall at once be forfeited to the city.

Sec. 8. Permission is hereby granted to the West Side Rapid Transit company, its successors or assigns, to use and operate upon a portion of the streets and roads hereinbefore enumerated, a steam dummy or motor, said dummy or motor to be of the pattern and design ordinarily used and operated upon street railways; Provided, however, that this shall not be construed to grant to the said company or its successors or assigns permission to allow its road or track to be used by any railroad company other than a street railroad company. The street and roads over which permission is hereby granted to use and operate steam dummies or motors are the following, to-wit: Commencing at the intersection of Seventh South and Second West streets, thence south along Second West street to Tenth South or Roper street, thence west along said last named street to the west bank of the Jordan river, thence west along that certain street designated in the official plat of Burlington Place as Colorado street, to the street designated as First street in the official plat of Glendale Park Addition, thence south along said First street to the county road running along the southerly boundary of said Glendale Park Addition, thence west along said last named county road to the city limits.

Whenever, in the wisdom of the city council, public interests demand the change of motive power from the steam dummy or motor to the electric or cable system, they may so order, and it shall be the duty of the grantee herein to make the change within six months from the date of such order.

Effective July 1, 1890.

TELEPHONE AND TELEGRAPH COMPANIES.

ROCKY MOUNTAIN BELL TELEPHONE COMPANY.

Extracts from council minute books.

Tuesday, August 26th, 1879.

Wm. Jennings and seven others by petition represented that they were desirous of forming an incorporate company to be known as the Salt Lake Telephone Co. for the purpose of connecting the principal places of business, offices, residences, etc., by a district telephone system, and asked permission for themselves and assigns to erect the necessary poles and run wires in and through the streets of the city for the above purpose.

On motion of Alderman Raleigh the petition was received and referred to the committee on streets and alleys.

September 9th, 1879.

Committee on streets and alleys reported as follows:

“Your committee to whom was referred the petition of Wm. Jennings and others representing the Salt Lake Telephone company, asking permission to connect the principal places of business, offices, residences, etc., in Salt Lake City by a district telephone system, and the privilege of erecting poles, wire, etc., in the streets, beg leave to report that in our view great benefit would result to the community by the construction of such improvement.

“We therefore recommend that the prayer of the petitioners be granted, and where poles are set in the streets the same be done under the direction of the street supervisor.”

On motion of Councilor Ball the report was accepted and the recommendation adopted.

Assignment.

We the undersigned to whom the city of Salt Lake have granted the right to erect poles for use of a Telephone Exchange, do hereby assign and transfer the same to A. J. Pattison and Co., Salt Lake City, Dec. 13th, 1880.

L. S. HILLS	(Stamp)
H. W. LAWRENCE	“
CHAS. E. POMEROY	“
BENJ. G. RAYBOULD	“
WM. JENNINGS	“
JAMES SHARP	“
PHILIP PUGSLEY	“
H. S. ELDREDGE	“

Territory of Utah, }
 Salt Lake City, } ss.

To whom it may concern:

This certifies that at a regular meeting of the city council of Salt Lake City, held December 21st A. D. 1880, A. J. Pattison & Co., per Williams & Young, attorneys, by petition representing that a certain privilege granted by the council to H. W. Lawrence and others on the 9th day of September, A. D. 1880, to erect poles in the streets of Salt Lake City on which to place wire for a telephone exchange had, by an instrument dated the 13th day of December, 1880, and duly signed by the said H. W. Lawrence and others been assigned and transferred to A. J. Pattison & Co., and asked that the council duly ratify

and confirm the transfer from the original grantees to the petitioners, etc., etc.

Whereupon—

On motion the prayer of the petition was granted so far as to ratify and confirm the assignment and transfer made December 13th, 1880, by L. S. Hills and others of the privilege granted them by the city council on the 9th day of September, 1880,* of erecting poles in the streets of Salt Lake City on which to place wires for a telephone exchange to A. J. Pattison & Co.; the said A. J. Pattison & Co., in the exercise of said privilege, to be held under the same regulations and restrictions as governed the original grantees.

In testimony whereof I have hereunto set my hand and affixed the seal of Salt Lake City this 22nd day of December, A. D. 1880.

JOHN T. CAINE,

(Seal.)

Recorder.

*NOTE—The reference to 1880 is an error, as the original action was 1879.

An Ordinance granting to the Rocky Mountain Bell Telephone company the right to construct, operate and maintain underground pipes or conduits and wires or other conductors and appliances for the transmission of electricity for telephone and telegraph purposes in Salt Lake City.

Section 1. Be it ordained by the city council of Salt Lake City; That the Rocky Mountain Bell Telephone company, its successors and assigns are hereby granted the right to construct, operate and maintain, along and across the streets, avenues, alleys, or other public thoroughfares in Salt Lake City, underground pipes or conduits with the necessary man-holes and other appurtenances, and to place in such pipes or conduits wires or other conductors and appliances for the transmission of electricity for telephone, telegraph and such other purposes as the city council may hereafter authorize. Also, the right to construct, operate and maintain branch pipes

or conduits containing wires or other conductors and appliances for transmitting electricity for the use of its several stations, patrons or subscribers at such points in such manner as may be best adapted to the respective location and requirements.

Sec. 2. All trenching or other excavating and all refilling or other work done by the grantee in any of the streets, avenues, alleys or public thoroughfares, shall be under the supervision and to the satisfaction of the city engineer and board of public works of Salt Lake City, and in case any curb, gutter or pavement or other public property shall be displaced in excavating any work herein authorized, the same shall be restored by the city under the supervision of its engineer and board of public works, and the cost of such restoration shall be paid by the grantee; provided, that before said grantee shall disturb any curb, gutter or pavement or other public improvement, it shall on the request of the city council or board of public works, furnish a bond with good and sufficient sureties to the satisfaction of said council or board of public works, to protect the city from all injury to its property by reason of such disturbance.

Sec. 3. Before commencing on any section or division of the work herein authorized, the grantee, its successors or assigns, shall prepare and file with the city engineer detailed plans of the proposed work on such section or division, showing its location, dimensions and character, and all such plans shall be acceptable to the city engineer and board of public works. And the work shall be performed in strict accordance with the plans so approved, and to the acceptance of the city engineer and board of public works.

Sec. 4. In all of the pipes or conduits constructed under authority of this ordinance, the grantee, its successors or assigns, shall provide all the space necessary for the wires or other conductors of the police and fire departments of the city, for telephone and telegraph purposes, and such space shall be used by the city free of cost or rent during the life of this franchise. The city through its electrical superintendent or other designated agents shall have free access to said pipes or con-

duits at all times for the purpose of placing, replacing, repairing or removing its wires or other conductors, for which purpose it shall have equal rights with the grantee, its successors or assigns.

Sec. 5. The location of all pipes and conduits shall be such as will not interfere with any sewer, gas or water pipe previously laid, and after the location of said pipes or conduits shall have been fixed in the manner hereinabove provided, the city shall not by subsequent grant or franchise to other parties, permit the same to be interfered with except at the cost of the parties operating under such subsequent franchise, and then only upon condition that any necessary alteration shall be made under direction of the grantee herein and to such extent only as shall be determined by the city engineer and board of public works; and as shall not permanently impair the franchise hereby granted, or unnecessarily interfere with or injure the structures, operations or business of the said grantee, its successors or assigns.

Sec. 6. Salt Lake City shall in no way be liable or responsible for any action or damage that may occur in the construction or operation of said pipes or conduits, wires or other appliances or appurtenances by reason of the default or misconduct, or otherwise or at all, of the grantee, its successors or assigns, or any of its employes, and the acceptance of this grant shall be deemed on the part of the grantee for itself, its successors and assigns, to save the city harmless from and against all liability, loss, costs, expenses and damages of any nature arising out of any such default or misconduct, or which may accrue by reason of any accident or injury which may occur in or by reason of the construction or operation of said pipes or conduits, wires or other appliances or appurtenances, and to indemnify and repay said city for any loss, costs, expense or damage of any kind it may sustain by reason of any such default, misconduct, accident or injury which may be recovered against said city, the recovery thereof and the judgment therefor shall be final as between the city and the said grantee, its successors and assigns, and conclusive as to the liability of the latter to the former; Provided, said grantee shall have notice

of the pending of any suit in which such judgment is recovered and be given an opportunity to defend the same, and provided further, the grantee, its successors and assigns, shall not be liable for any damage for personal or other injuries arising from or growing out of any negligence or want of care on the part of said city, its agents or servants, in its use of said pipes or conduits and appliances or appurtenances.

Sec. 7. Nothing in this ordinance shall be construed as granting to the Rocky Mountain Bell Telephone company, its successors or assigns the exclusive right or to prevent the city from granting to other companies or individuals similar rights for like purposes.

Sec. 8. This franchise is granted for a term of thirty-five years from the date of the passage of this ordinance.

Sec. 9. If this grant with all the terms and conditions herein contained be not accepted in writing by the grantee within sixty days, or if the grantee, its successors or assigns, shall fail to place at least one hundred miles of its wires or other conductors in underground pipes or conduits within one year after the date of its acceptance of this grant, then this franchise shall become null and void, and all of the grantees' rights hereunder shall be forfeited to the city.

Effective April 2, 1894.

UTAH HOME TELEPHONE COMPANY.*

An Ordinance granting a franchise to the Utah Home Telephone company, a corporation.

Whereas, It is the avowed intention of the Utah Home Telephone company, a corporation, to construct, maintain and operate in Salt Lake City, Ogden and in other cities and towns throughout the State of Utah, independent telephone exchanges, and to connect said cities and towns by toll lines and to

* NOTE—Name afterwards changed to Utah Independent Telephone Company.

establish a telephone system to cover the entire State of Utah, and,

Whereas, It is the avowed intention of said corporation to install in said exchanges and in connection with said toll lines the most modern apparatus, and to equip the entire telephone system by it operated, in accordance with the most modern engineering practices, and,

Whereas, It is the avowed intention of said corporation to maintain a telephone system separate and distinct from, and at all times in constant competition with all other telephone companies in the State of Utah, and,

Whereas, In order to provide for the future growth and development of Salt Lake City, and the constantly increasing demand for telephone service, it is the intention of said corporation to install an exchange which shall have a capacity of not less than three thousand (3,000) complete metallic circuits, and,

Whereas, It is the avowed intention of said corporation and its incorporators and promoters to remain at all times an independent telephone company having no connection with any other telephone company whatsoever, and to keep the management and control of said company in the hands of actual and bona fide residents of the State of Utah, to the end that the largest possible benefits accruing from the operations of said company shall be and remain with the people of the State of Utah.

Now, therefore, be it ordained by the city council of Salt Lake City:

Section 1. That the Utah Home Telephone company, hereinafter called the grantee, its successors and assigns, have the authority and consent of the city council, and permission is hereby granted it, to construct. operate, erect and maintain upon, along, through, under and in the streets, alleys, lanes and public places of said city, all necessary poles, posts, cables, wires, conduits and other suitable materials, appliances and appurtenances necessary and requisite to the operation and maintenance of a telephone exchange in said city, for a period of fifty (50) years.

Sec. 2. All wires and cables within the following described district shall be placed underground in conduits or otherwise, to-wit:

Main, or East Temple street, from South Temple street to Fourth South street; West Temple street from South Temple to Fourth South street; State street from North Temple to Fourth South street; South Temple street from the east line of State street to Third West street; First South street from the east line of State street to West Temple street; Second South street from the east line of State street to Sixth West street; Third South street from the east line of State street to West Temple street. All poles and posts used by the grantee herein, its successors and assigns, shall be reasonably straight, and at all points where there is an unusual strain, shall be sufficiently stayed in workmanlike manner, and at all points shall be so placed as not to interfere with travel or the ordinary use of the streets, and shall further comply with the terms and requirements of existing ordinance or ordinances which may be hereafter passed, in relation to size, height, painting and position of the wires thereon.

Sec. 3. That the said grantee, its successors and assigns, shall furnish, maintain and keep in repair free of charge, telephones not exceeding forty (40) in number, for the use of Salt Lake City, the location of which telephones shall be as directed by the city council, and provided that, after the expiration of two years from the date of granting this franchise the said grantee shall, upon demand by the city council, furnish to Salt Lake City such additional telephones as said city may require and said council demand, not exceeding ten (10).

Sec. 4. The right to purchase the entire plant, property and franchise of the grantee herein within the limits of Salt Lake City, including the appurtenances, appliances, exchanges, instruments and other property is hereby reserved by Salt Lake City, a municipality, and said municipality shall have the right at any time it may deem fit, to purchase said property and re-possess itself of said franchise upon payment therefor of a fair and reasonable sum, to be fixed by arbitration or by judgment of a court of competent jurisdiction upon condemnation thereof, the grantee herein and its successors and as-

signs by acceptance hereof expressly consenting to such condemnation for the purpose of fixing the purchase price of its said property.

Sec. 5. The rate or rental of telephones used for business purposes within the corporate limits of Salt Lake City shall not exceed the sum of forty-eight (\$48.00) dollars per year; the rate or rental of telephones for private residences within the corporate limits of said city shall not exceed the sum of thirty (\$30.00) dollars per year.

Sec. 6. Any combination, secret agreement or understanding or pooling, or agreement to pool between the grantee, its successors or assigns, and any other person, firm or corporation now engaged, or which may hereafter engage in the construction, maintenance and operation of any telephone line or lines, exchange or exchanges within the limits of Salt Lake City, wherein or whereby and by which the rates charged for the use of telephones within the corporate limits of Salt Lake City shall be greater than the rates in Section 5 of this ordinance named, shall cause and work a forfeiture of the franchise hereby granted, and the city council of Salt Lake City hereby reserves the right to declare a forfeiture of this franchise as a penalty for any such combination, secret agreement, understanding or pooling, the grantee herein and its successors and assigns expressly agreeing and consenting to the jurisdiction of said council to so declare.

Sec. 7. All work done by the grantee herein in the public streets, lanes, alleys or other public places in said city shall be done by the grantee herein under the supervision of and subject to inspection by the city engineer, the right being expressly reserved herein by the city council acting through the then city engineer, to condemn any work of construction not done or performed in accordance with the terms of this franchise, or contrary to existing ordinances, and to stop and prevent the continuation of any such work contrary to this franchise or existing ordinances.

Sec. 8. The grantee herein, its successors and assigns, shall in erecting poles or posts, or in doing underground work in placing conduits or the like, disturb sidewalks and pavements in said city as little as possible and shall at all times

after erecting poles or posts, wire or cables, and doing any underground work, replace all streets and pavements disturbed by them and leave said streets and pavements in equally as good condition as they were before being so disturbed.

Sec. 9. The grantee herein, its successors and assigns, hereby assumes all liability for and agrees to indemnify the city against any and all loss, costs or damages whatsoever adjudged or claimed against said city by reason of the erection, establishment, location and maintenance of any and all poles, posts, wires, conduits or the use of the same, or any of them, and from any and all loss, costs, or damages whatsoever arising in any manner from the use thereof, and the said grantee agrees to, and this franchise is granted upon the express terms that said grantee will, before it commences any work of construction, file with the city recorder of Salt Lake City a good and sufficient bond in the sum of twenty-five thousand (\$25,000 00) dollars, with sureties to be approved by the city council, to keep said city so indemnified and protected, and the exercise by the grantee herein, its successors and assigns, of any of the rights herein granted shall estop it from denying the acceptance of this franchise, with all its terms, conditions and liabilities.

Sec. 10. The city council of Salt Lake City hereby expressly reserves the right to use, without cost or expense to it, any or all of the poles or conduits erected, constructed or maintained by the grantee herein for the purpose of stringing or laying such wires as may be necessary for use in its police and fire alarm system, or for other municipal purposes, provided that such wire shall not interfere with the proper and reasonable use of said poles or conduits for the wires of the grantee.

Sec. 11. This franchise is expressly granted upon condition that within six (6) months from the date of its passage the grantee herein shall commence and continue without interruption the work of constructing and erecting its lines, and preparing its exchanges, and prosecute the same thereafter with reasonable diligence to completion, unless prevented by unforeseen accidents, or unavoidable delay in procuring material to be used in construction work.

Sec. 12. The grantee herein, its successors and assigns, shall, as fast as the pavement of the streets of Salt Lake City is extended, place its wires underground in conduits on the streets so paved, and in advance of said pavement.

Sec. 13. This franchise and all the privileges herein granted shall be non-transferable by the grantee herein, without the consent of the city council of Salt Lake City, except after the grantee, its successors or assigns, shall have offered to sell its entire property and privileges to said city at a reasonable valuation, to be determined by arbitration if demanded by the city council, and said city council shall have rejected or shall have for a period of ninety (90) days refused to act upon said offer of sale, or the determination of said board of arbitration if arbitration be demanded.

Sec. 14. The franchise and privileges herein and hereby granted shall be void and of no effect unless the grantee herein shall, within thirty (30) days from the passage hereof, file with the city recorder of Salt Lake City, its acceptance in writing of this franchise, and all its terms and conditions, and deposit at the same time with said city recorder a bond in the sum of twenty-five thousand (\$25,000.00) dollars, with good and sufficient sureties, to be approved by the council, conditioned that the grantee herein will comply thereafter with all lawful ordinances, resolutions and directions of the city council.

Sec. 15. In consideration of the granting of the rights and privileges herein given, and by the acceptance of this franchise, the Utah Home Telephone company hereby agrees to give to Salt Lake City one per cent of the gross earnings in Salt Lake City during the life of this franchise, said sum to be paid to the city treasurer of said city on or before the second Monday in January of each year.

Sec. 16. This ordinance shall take effect upon its passage and approval.

Effective December 1, 1902.

NOTE—The above franchise by express consent of the city council has been assigned and transferred to the Utah Independent Telephone Company.

UNION DEPOT.

An Ordinance granting right of way in Certain streets of Salt Lake City to William H. Bancroft and David C. Dodge, their successors and assigns, to construct railroad tracks and a union passenger depot.

Section 1. Be it ordained by the city council of Salt Lake City, State of Utah: That William H. Bancroft and David C. Dodge, their successors and assigns, have the authority and consent of the city council and the permission is hereby granted them to construct in and across Third South street between Fourth West street and a line north and south across Third South street, sixteen (16) rods east of Fourth West street in said city, a union passenger railway and depot, with the approaches and accessories required, and to maintain and use said buildings and their approaches and accommodations as a union passenger depot building; and also to construct, maintain and operate in said city a railroad in said part of Third South street and on the west half of blocks forty seven (47) and sixty-two (62), plat "A," Salt Lake City survey, and on the east side of Fourth West street between points three hundred and seventy-five (375) feet north of the north line of Second South street, and three hundred and seventy-five (375) feet south of the south side of Fourth South street with as many main, side, switch and connecting tracks as may be required for ingress and egress of trains to and from said union passenger depot and for the convenient use and accommodation thereof, and including the right to lay, maintain and use such side, switch and connecting tracks, as may be necessary across Second South and Fourth South streets, near their connection with Fourth West street: Provided, That at no time shall the grantees herein allow any railway coaches or other rolling stock to re-

main standing on said Second South or Fourth South streets, and further that they shall continuously have a flagman stationed at the intersection of said Second South and Fourth West streets and of Fourth South and Fourth West streets.

Sec. 2. That the easterly half of Fourth West street between Second South and Fourth South streets, that is to say, all that portion of Fourth West street extending from the westerly boundaries of blocks forty-seven (47) and sixty-two (62), plat "A," Salt Lake City, to the center of said street, and also Third South street between Third and Fourth West streets for sixteen (16) rods east of the west boundary of said blocks forty-seven (47) and sixty-two (62), be and the same are hereby vacated as public streets and closed to the public use and travel, and the exclusive right to occupy and use the same for railroad and depot purposes is hereby granted to the said William H. Bancroft and David C. Dodge, their successors and assigns; Provided, however, that the necessary streets be made and provided by the grantees over the lands belonging to them and lying easterly of and adjoining the said depot buildings, and extending from Third South street southerly to a connection with Fourth South street and also extending northerly from said Third South street to Second South street, said streets not to be less than sixty-six feet in width, thereby securing free access and right of way for the public travel from said Third South street at a point conveniently near and easterly of said union depot buildings to said Fourth South street, and also from said point northerly to Second South street, the said streets to be dedicated to the public use and to be maintained as public streets during the period of this franchise and so long as the said passenger depot shall be maintained and operated.

Sec. 3. During the term of this franchise the said grantees shall be subject to the following conditions, viz.:

First—That all of said railway tracks shall be laid upon and conform to the established grade of the several streets upon which they run, and if said grade is afterward changed by order of the city council, said grantees shall at their own expense change the said tracks to conform to the same, and shall keep the road ballasted with gravel to within one and one-half

inches of the top of the rails, provided that whenever any of the streets along which the said railway is built shall be paved, then said grantees, their successors and assigns shall pave between the rails and for a space of two feet outside of each rail, with the same material as that used in the street pavement.

Second—That said grantees shall gravel and maintain in good condition at the established grade, the streets exclusive of the sidewalks along which the track runs, subject to the approval of the supervisor of streets.

Third—Said grantees shall put in and maintain such crossings where the lines of said railroad intersect the streets of Salt Lake City as shall from time to time be required by the city council.

Fourth—That said tracks shall be laid and the road operated so as to cause no unnecessary impediment to the common and ordinary use of the said streets upon which it is laid, except as hereinbefore provided.

Fifth—Good and sufficient boxes to convey water shall be laid and maintained in good condition, at the expense of said grantees, at all water ditches crossed by said railway so as to admit of free passage of water.

Sec. 4. The construction of said union depot shall be commenced within three months of the date of the acceptance of this franchise and shall be completed within two years from the time of its commencement.

Sec. 5. That other railroad companies wishing to have access to and enjoy the privilege of said union depot as a passenger depot shall be permitted to do so upon such terms as may be just and equitable.

Sec. 6. The said depot shall cost when built and fully equipped, not less than two hundred thousand dollars.

Sec. 7. This franchise is granted for the term of fifty years from and after the passage of this ordinance.

Sec. 8. If this grant be not accepted on or before the first day of May, 1900, the same shall be null and void and of no effect.

Sec. 9. This ordinance shall take effect from its passage.
Effective March 10, 1900.

WATER PIPES.

An Ordinance granting Harvey M. Bacon and his successors and assigns a franchise to lay water pipes in certain streets in Salt Lake City.

Be it ordained by the council of the city of Salt Lake, Utah:

Section 1. That there is hereby granted Harvey M. Bacon, his successors and assigns, for the purpose of erecting and maintaining a bathing resort, or sanitarium, or both, in said city, where the hot mineral waters of the springs in or near the north part of the city may be used, the right to lay and maintain water pipe or pipes, as the city engineer may approve, to conduct such waters along the following mentioned avenues, streets, roads and alleys in said city, to wit: The alleys in the Warm Springs subdivision, Cement avenue, Lime avenue, Agate street, Topaz street, Gem street, County or State Road, Second West street and on Third South street from Second West street into the property now known as the "Palace Stables" on Third South street. Such pipe or pipes to be laid at such place or places in said streets or avenues, roads and alleys, as the city engineer may indicate, and under the supervision of the supervisor of streets.

Sec. 2. The pipe or pipes so laid shall be well covered, and the trenches kept well filled without expense to the city, and whenever it shall be necessary to open any trench, or trenches, for the purpose of making repairs or the laying of pipes or the like the opening so made shall be properly guarded by said grantee, his successors or assigns, and properly filled so as to make as little obstruction of the streets as possible.

Sec. 3. There is also granted to said grantee, his suc-

cessors and assigns, the right to lay and maintain a discharge pipe or pipes from the building or buildings to be used as such bath or sanitarium, to the public sewers on Third South street, and discharge the waters of said bath or sanitarium into said sewer, as required by the city ordinances.

If at any time the waters from said bath resort, or sanitarium, or both, shall have any deleterious effect or in any way damage the sewer pipes of said city, then said grantee, his successors and assigns, within thirty days after being notified of such deleterious effect or damage to such sewer pipes, shall disconnect such discharge pipe, or pipes, from said sewer and pay to the city the costs or damages thereof, and may thereafter convey such waste water through a discharge pipe to be laid and maintained by said grantee, his successors and assigns, from said premises to the Jordan river, and said grantee, his successors and assigns, shall have the privilege and are hereby granted the right to lay and maintain a private sewer or discharge pipe in the streets of said city, to carry and discharge said waste waters from said premises into said Jordan river, from the time said grantee, his successors or assigns shall be required to disconnect their said waste pipe from said city sewer, until the expiration of this franchise. Said waste pipe to be laid under the direction and supervision of the city officer or officers whose duty it shall be to look after and superintend the laying of such pipe, or such officer or officers as the city council of Salt Lake City shall see fit to appoint for the purpose.

Sec. 4. The franchise herein granted shall continue for a period of twenty-five years from the date of the passage of this ordinance.

Sec. 5. Said city of Salt Lake shall in no way be liable or responsible for accident or damage that may occur by reason of such pipes, or the laying or the maintaining of the same, or by leakage therefrom, or from any sediment, precipitation or injury that may be caused by such water to the sewer pipes of the city, and said grantee, his successors and assigns covenant and agree to save said city harmless from and against any and all liability, loss, cost, expense or damage arising by reason of

said pipes, or the water conveyed thereby, or the maintaining of the same, and to indemnify and repay said city for any loss, cost, expense or damage of any kind which may be sustained by reason of such pipes or water, and if any judgment, or for any loss, or injury shall be recovered against the said city by reason of such pipes or water, the recovery thereof, and the judgment therefor shall be final as between said city and said grantee, his successors and assigns, and conclusive as to the liability of the latter to the former. Provided, That the then holders of this franchise shall have timely notice of such suits and opportunity to defend the same.

Sec. 6. When any of the streets in which said pipes are laid shall be paved, if thereafter the said grantee, his successors or assigns shall remove or take up the pavement, or any part of it, to lay or repair any of the pipes, said grantee or his successors or assigns, shall replace such pavement to the satisfaction of the supervisor of streets, each time in as good condition as before taking it up.

Sec. 7. That said grantee, his successors, and assigns, be required to put in operation said bath resort or sanitarium within six (6) months from the date of the passage of this ordinance, otherwise this franchise shall become null and void.

Sec. 8. That said grantee, his successors or assigns, shall give to Salt Lake City a good and sufficient bond, in the penal sum of \$25,000, that the bath resort or sanitarium shall be in operation within six (6) months.

Sec. 9. This ordinance shall take effect from and after its passage.

Effective March 2, 1893.

INDEX.

INDEX TO GENERAL ORDINANCES.

	Sec.
Abstract of Title	
of lands purchased by Salt Lake City	560
Abusive language	411
Accumulations of waste	
on vacant property, on streets or in water ditch, a nuisance	484
Additions	
test of, by city engineer	159
resurveyed	163
Adobes	
and imperfectly burned brick prohibited	65
in walls, when permitted	66
Advertisements	
on buildings, bill-boards, etc.	111
of unclaimed animals in the city pound	178
distribution of, where prohibited	705
Agents'	
liability	4
Alterations	
of buildings. Plans	61
in plans	62
Amendments	
to ordinances, how made	8
Amusement	
license	399
Analysis	
of city water	820
Animals	
sick or disabled	9
detention of, by private persons	186-188
cruelty to	412
killing or poisoning	413
driving through streets	414
cows and swine	415
Applications	
for liquor license, form of	310
for license, how made	358
for permits to erect poles	741
Appointment	
of board of public works	27
of inspector of buildings	47
of city sexton	118
of engineer	151
of pound keeper	172

Appointment —continued.	Sec.
chief of police department	223
of inspector of provisions	240
of health commissioner	288
of board of health	288
of city chemist	290
of clerk of board of health	291
and compensation of humane officer	303
of water master	335
of land and water commissioner.....	352
of park keeper	497
of plumbing inspector	511
of chief of police	523
of oil inspector	579
of sealer of weights and measures	579
of superintendent of waterworks	730
of supervisor of streets	733
Appointive officers	
term	10
removal	11
Apportionment	
of water	339
of irrigation water	346
Appropriation	
special	576
Arches and bridges	
constructed by railroads	548
Asphalt pavements	
bon-fires on, prohibited	419
Assault and battery	416
Assignment	
of license	359
Assistants	
attorneys	17
of park keeper	500
Attorney	
duties	12
reports	12
records	13
moneys collected by	13-14
compensation	15
oath, bond	16
assistants	17
Auctioneer	
receipts, commission	18
obstructing streets or side-walks	19
license, bond	364
Auditor	
duties	21
compensation	22

Auditor—continued.	Sec.
oath, bond	23
clerk, compensation	24
deputies	24
financial statement	25
transfer of books	26
duties, in respect to city lands	565
duties, general	577
duties, in relation to special taxes	
certificate of tax sale	681
general taxes on delinquent property	682
notice of redemption.....	685
tax deed	686
refunding excess special taxes	690-692
Author	
of nuisance defined	487
Awnings	
canvas	104
Banker	
license	380
Barbed wire fences	417
Barn	
when a nuisance	481
Bathing	418
Bay-windows	102
Befouling water	
in City Creek	136
Bells	
of locomotives	552
Bicycles	
restricted district	720
speed	721
bicycle paths	722
same. Construction	723
same. Repairs	724
same. Obstructions	725
license	726
bicycle path fund	727
gongs required	728
Bill-boards	108
Billiard halls,	
certain persons prohibited from entering	321
Billiard or pool tables	
license	365
use of on Sunday prohibited	452
Births	
registration of	297
Blockade	
in case of fire	228

Board of health.	Sec.
duties in relation to garbage	272
appointment. Compensation	288
duties in relation to city water	320
Board of public works	
appointment. Term	27
compensation	28
oath. Bond	29
duties	30
heads of departments, eligible for appointment	31
clerk.....	32
inspectors	33
contracts. Duties	34
specifications and advertisements on contracts	35
books. Records.	36
meetings. Quorum. Funds	37
temporary chairman	38
contracts. Bonds. Fees. Estimates	39
final estimate on city contracts	40
repairs	41
side-walks	42
expenditures	43
bonds of contractors. Sureties	44
additional duties	46
Boarding houses	
license	367
Board of equalization	
special taxes	663
Bond	
of attorney	16
of auditor	23
of board of public works	29
of contractors	39
of inspector of buildings	48
of city sexton	119
of city councilmen	130
of engineer	152
of pound keeper	173
of chief of fire department	234
of inspector of provisions	241
of health commissioner	289
of humane officer	305
for liquor license	309
of water master	337
of land and water commissioner	353
of mayor	405
of park keeper	498
of plumbing inspector	512
of chief of police	524
of recorder	567

Bond —continued.	Sec.
of sealer of weights and measures	580
of oil inspector	580
for street excavations	698
of supervisor of water works	731
of supervisor of streets	734
for the erection of poles	738
of treasurer	752
of deputy treasurer	754
Bone-crushing	
when a nuisance	478
Bon-fires	
on asphalt pavements prohibited	419
Books	
of auditor, transfer of	26
board of public works	36
Bottling liquor	
license, etc	319
Bowling alley	
license	365
use of on Sunday prohibited	452
Brewery	
when a nuisance	480-481
Bridges	
and flumes	350
Buildings and structures	
inspector	47
oath and bond of inspector	48
duties of inspector	49
examination by inspector	50
building permits	50
special power of inspector	51
special inspections	52
danger from fire to be abated	53
dangerous buildings	54
dangerous walls	55
power of inspector to pass on	51
damaged frame buildings. Arbitrators. Moving	56
roofs damaged by fire. Repairs. Permits	57-58
ordinary repairs	59
nature of buildings in fire limits	60
plans must be approved	61
alterations in plans	62
fees	52-63
repairs, when may be stopped by building inspector	64
adobes and imperfectly burned brick prohibited	65
adobes, when permitted	66
cellar excavations. Depth	67
foundation walls	68

Buildings and structures—continued.	Sec.
retaining walls	69
cut stone and ashlars	70
party walls	71-72
tables for walls	73
walls for trussed roofs	74
when walls to be increased	75
height of stories	76
buttresses	77
recess, chase or flue	78
kind of mortar to be used	79
heading or binding course	80
lintels and arches	81
chimneys and flues	82
chimneys on one-story cottages	83
factory chimney spark arrester	84
forge and furnace chimneys	85
manner of setting stoves	86
stove-pipe through roof forbidden	87
cellarway or area. Permit and bond	88
egress from cellars and basements	89
size of cellarways	90
coverings of coal holes	91
gratings in side walks	92
hot water, steam and ventilating pipes and ducts	93
strength of floors	94
roof and floor timbers	95
headers, trimmers and tail beams	96
timbers or joists not to be cut for piping or wires	97
rough floor to be laid	98
manner of securing cornices	99
fire escapes	100
egress from public buildings	101
bay windows and store fronts	102
signs over streets or side-walks forbidden	103
canvass awnings	104
permanent porticos	105
plans to be approved by inspector	106
numbers for houses	107
bill-boards	108
waste	109
unlawful to injure advertisements	111
height of fences	112
removal of fences. Notice	113
high fences, a nuisance	114
out-houses	115
interference with inspector	116
penalty	117
Building material	
in streets. Permit for	701

Building material—continued.	Sec.
enclosure for	702
Burials	
permits, from board of health	120
must be in cemeteries. Exception	127
permits, for burial or removal of bodies	298
Buttresses	77
Camping	
in City Creek	136
Carriage steps	
manner of construction	646
Cattle	
manner of keeping	253
manner of transporting	254
slaughtering	254
Cellars	
excavations	67
ways or area	88
basements. Egress from	89
ways. Size of. Protection	90
cellar doors	641
Cemetery	
lots. Sale of	122
property. Injury to	126
fast riding or driving in	128
Chief of police	
appointment	523
compensation	533
oath and bond	524
duties	526-527-528
rules and regulations	529
Chimneys	
and flues, manner of construction	82
in one-story cottages	83
spark arrester	84
for forges and furnaces	85
cleaning of	210
Circus license	368
City cemetery	
sexton. Appointment. Compensation	118
oath and bond of sexton	119
burial permits	120
duties of sexton	121
sale of lots. Certificate. Price	122
head-boards and tomb-stones, fences and grades	123
permit for disinterment. Contagious disease	124
fees of sexton	125
injury to cemetery prohibited	126
burials must be in cemeteries. Exception	127
fast riding or driving in cemeteries prohibited	128

	Sec.
City Cemetery—continued.	
Penalty	129
City Creek Canyon	
unlawful to catch fish or shoot birds in	134
destruction of trees in	135
camping and befouling water in	136
Penalty	137
City Council	
members. Oath. Bond	130
compensation	131
meetings	132
special meetings	133
City chemist	
appointment. Compensation. Duties	290
City engineer	
estimates	39
	(See Engineer)
City recorder	
clerk of board of public works	32
duties in respect to transfers of city lands	563
	(See Recorder)
City sexton	
oath. Bond	119
duties	121
City pound	174
Claims	
requisites. Presentation. Time for allowance	138
other claims	139
verification of claims	138-139
Clerk of board of health	
appointment. Compensation	291
Coasting	
prohibited	420
Collector	
of special taxes	757
Commission	
of auctioneer	18
Compensation	
of attorney	15
of assistant attorneys	17
of auditor	22
of auditor's clerk	24
of board of public works	28
of inspector of buildings	47
of city sexton	118
of city councilmen	131
of engineer	151
of pound keeper	172
of fire department	238
of inspector of provisions	240

Compensation—continued.	Sec.
of health commissioner	288
of board of health	288
of city chemist	290
of clerk of board of health	291
of humane officer	303
of water master	336
of land and water commissioner	353
of mayor	404
of park keeper	498
of plumbing inspector	511
of chief of police	533
of recorder	566
of sealer of weights and measures	579
of oil inspector	579
of superintendent of water works	730
of supervisor of streets	733
of treasurer	751
Concealed weapons	422
Confiscation	
of unwholesome foods	251
Consolidation	
of offices of superintendent of streets and water-master	735
Construction	
of brick buildings	80
Contractors	
final estimate	40
must remove obstructions	40
removal of side-walks	42
bonds	44
sureties. Who not accepted as	45
Contracts	
by board of public works	34
specifications. Advertisements	35
Contracting electrician	
license	369
Cornices	99
Corporate seal	
description of	578
Council	
duties in relation to special taxes	658-693
Crossings	
railroad	550-553
Curfew	434
Cut stone	
and ashlar	70
Coal holes	
coverings of	91
manner of construction	640
Damaged frame buildings	56

	Sec.
Damages.	
by trespassing animals	177-184
to water ditches	342
Dangerous buildings	
duty of inspector	54
Dangerous walls	
duty of building inspector	55
Dance house	
prohibited when	421
Dead animals	
when a nuisance	482
Dealers	
in intoxicating liquors defined	308
Dedications	
franchises, grants and special levies, not repealed	1
Deputy auditor	
compensation	24
Deputy humane officer	306
Deputies	
of land and water commissioner	355
Destruction	
of dogs	144
of property, by fire department	227
Dirt	
accumulation of, a nuisance	477
Disinfection	299-301
Disinterment	124
Disorderly conduct	
in saloons	324
Disorderly houses	
prohibited	426
Districts	
paving	715
Disturbance	
of the peace	427-428-429
Dogs	
registration. Annual tax	140
collars and numbers	141
impounding	142
redemption. Fees	143
destruction	144
cruelty to, prohibited	145
running at large, when prohibited	146
in places of worship prohibited	147
dangerous	148
killing registered dogs prohibited	149
Dog and pony shows	
license	370
Drain pipes	614

Drain.	Sec.
a nuisance when	474
Drain-layers	
license	371
Drugs	
sale of, on streets, prohibited	430
to be labeled	431
Drug-stores	
sale of liquors by	314
Drunkards	
sale of liquor to	320
Drunkenness	432
Duties	
of attorney	12
of auditor	21
of board of public works	30
of inspector of buildings	49
of engineer	153
of chief of fire department	226
of board of health	292
of health commissioner	294
of clerk of the board of health	296
of humane officer	304
of land and water commissioner	354
of mayor	406
of park keeper	499
of plumbing inspector	513
of chief of police	525-526
of land and water commissioner, in relation to city lands	562
of recorder	569-570
of auditor, in relation to pay-rolls	577
of sealer of weights and measures	581-582
of oil inspector	592
of supervisor of streets	737
of superintendent of water works	784
of board of health, in relation to city water	820
of land and water commissioner, in relation to city water	823
Egress	
from cellars and basements	89
Election day	
sale of liquor on	331
Employment office	
license	376
Employment agency	
in saloons, prohibited	436
Employees	
of park keeper	507
Employers and agents	
liability	4

Engineer.	Sec.
appointment and compensation	151
oath and bond	152
duties	153
field notes, maps, profiles	154
street lines	155
street grades	156
fees	157-158
additions	159
plats	160-161-162
street names	162
resurveys	163
approval of plats	164
standard of measure	165
adjusting instruments	166-167
monuments	168-169
interfering with engineer prohibited	170
Estimates	
city contracts	39
Excavations in streets	
restoration	695
notice to street supervisor	696
permits	697-698
how guarded	700
Expectoration	
in public places prohibited	438
Expenditures	
board of public works	43
Explosives and combustibles	
erection of magazines	193
location of magazines	194
removal of magazines	195
permit to sell explosives	196
gun-powder in stores	197
high explosives prohibited	198
manner of keeping explosive caps	199
storage of petroleum	200-201
buildings for storage of oils	202
adulterating oils	203
manufacture of explosive chemicals	204
storage of explosive substances	205-206
kindling fires with combustible fluids prohibited	207
discharge of fire works prohibited	209
chimneys to be cleaned	210
storing of combustibles	211
hay-stacks prohibited within 60 feet of buildings	212
movable light near hay prohibited	213
smoking of meat, etc., except in fire proof buildings prohibited ..	214
burning of hay, straw, leaves, etc., within fire limits prohibited..	215
licenses and permits	216

Factory chimney.	Sec.
spark arrester	84
False pretenses	
obtaining goods under	440
False measures	
or scales prohibited	590
Fees	
officers accountable for	218
paid into treasury. Statement	219
penalty	221
city contracts	39
inspector of buildings	52-63
city sexton	125
city engineer	157-158
pound keeper	189-190
for moving garbage	286
plumbing inspector	515
to be collected by sealer of weights and measures	588-589
oil inspector	593
for sewer connections	610
Females	
in saloons	323
Fenders	
on street cars	556
Fences	
height of	112
removal of	113
high, a nuisance	114
Fighting	
prohibited	441
Financial statement	
auditor	25
Fire department	
organization of	222
chief. Appointment	223
oath and bond of chief	224
qualification of members	225
duties and powers of chief	226
when property may be torn down by	227
blockade	228
right of way	229
injuring property of department, prohibited	230
firemen at places of amusement	231
electric fire alarm boxes	232
records of department	233
appointment of subordinates	234
removal of chief	235
suspension of subordinates	236
fire limits	237
salaries	238

	Sec.
Fire escapes	100
Fires	
in connection with combustible fluids	207-208
Fire-works	
discharge of, when prohibited	209
Fire alarm boxes	232
Fire limits	
boundaries	237
nature of buildings in	60
Fire-arms	
discharge of prohibited	424
Fire hydrants	785
Fish and birds	
in City Creek canyon protected	134
Flippers,	
sparrow guns, etc., discharge of, prohibited	425
Floors	
strength of	94
rough, when to be laid	98
Food and drink	
inspector of provisions. Appointment. Compensation	240
oath and bond	241
duties	242
powers	243
sale of unwholesome fruit prohibited	244-245-246-247-248-249
stalls and markets to be kept clean	250
unwholesome food to be confiscated	251
milk, butter and cheese	252
manner of keeping cattle	253
manner of transporting cattle	254
slaughtering	255
inspection of milk	256
condemnation of milk	257
quality of milk	258
manner of marking milk wagons	259
water for drinking purposes	260
ice	261-262-263-264-265-266
Fortune telling	
license	372
Foundation walls	
cement	68
Fowls	
trespassing by, prohibited	442
Franchises and special privileges	
application. Copies. Fee	268
non-assignable. Exception	269
manner of assignment	270
forfeiture	271

Franchises—continued.	Sec.
grants, dedications and special levies not repealed	1
Free licenses	363
Freight wagons	
on what streets prohibited	719
Fresh meat dealers	
license	373
Funds	
board of public works	37
Gambling	
and gambling houses	443-444
Garbage	
board of health	272
garbage districts	273-274-275
receptacle for garbage	276
mixture of rubbish and garbage prohibited	277
befouling gutters and ditches prohibited	278
accumulation of manure prohibited	279
deposit of night soil, in garbage boxes prohibited	280
garbage, manure, etc., to be moved	281
permits for emptying vaults, cess-pools, etc	281
permits for hauling garbage	283
manner of marking scavenger wagon	284
spilling of garbage or refuse prohibited	285
fees for moving garbage	286
receptacle, when a nuisance	474
Giant or Hercules powder	
prohibited	198
Giant caps	
prohibited	199
Glue factory,	
when a nuisance	478-479
Grades	
of streets, how established	156
Gratings	
in side-walks	92
Grants	
franchises, dedications and special levies not repealed	1
Gun-powder	
in stores prohibited	197
Gutters and ditches	
befouling of, prohibited	278
Haystacks	
location of	212
Head-gates	341
Heads of departments	
eligible to board of public works	31
Headers	
trimmers and tail beams	96

Health.	Sec.
board of health. Appointment. Compensation	288
health commissioner. Oath. Bond	289
city chemist. Appointment. Compensation. Duties	290
clerk. Appointment. Compensation	291
duties and powers of board	292
sewer connections	293
duty of health commissioner	294
meetings of board	295
duties of clerk	296
births. Registration	297
burials and removals of bodies. Permit	298
school books. Distribution and disinfection	299
quarantine rules and regulations	300
disinfection	301
Health commissioner	
appointment and compensation	288
to abate nuisance	486
duty and power of in respect to nuisances	489
duty in respect to slaughter houses	656
Height	
of stories in buildings	76
Hitching posts	707
Hotels	
sale of liquors by	313
license	374-375
registers	446
runners	447
House numbering	107
Humane officer	
appointment. Compensation	303
powers and duties	304
oath and bond	305
deputy	306
fees	143
duties in relation to dogs	142-144
Ice	
application to sell	261
standard for domestic use	262
permits for sale	263
sale of impure ice prohibited	264
inspection of ice	265
impure ice sold for cooling purposes only	266
Impounding	
dogs	142
(other animals see city pound)	
Indians	
sale of liquor to.....	320
Injury	
to telegraph, telephone or other poles or wires	749

Inspector of buildings.	Sec.
appointment. Compensation	47
oath. Bond	48
duties	49
examination of structures. Permits	50
special inspections. Fee	52
to abate danger from fire	53
duty as to dangerous buildings	54
dangerous walls	55
duty as to damaged buildings	56
duty as to roofs damaged by fire	57
ordinary repairs	59
plans to be approved by	61
alterations and plans	62
fees	63
power to prohibit improper construction	64
duty as to adobes and imperfectly burned brick	65
Inspectors	
board of public works	33
of plumbing. Appointment. Compensation	511
of provisions. Appointment. Compensation	240
of oils. Duties	592
interference with. Penalty	116-117
may not deal in oils	594
Inspection	
of plumbing work	520
Instruments	
how adjusted	166-167
Intelligence offices	
license	376
Intoxicating liquors	
sale of. License required	307
manufacturer, etc., defined	308
unlawful to sell without license and bond	309
form of application and bond	310
license non-transferable	311
applications referred to chief of police	312
sale of liquor by the drink, prohibited, when	313
sale of liquors without wholesalers' license, prohibited, when ...	314
licenses. Manner of issuing and form	315
licenses issued for three months	316
amount of license	317
retail license includes wholesale	318
manufacturers' license required for bottling	319
sale of liquors to minors, etc	320
minors, etc., prohibited in billiard halls	321
unlawful for minors to misrepresent age	322
females, when prohibited in saloons	323
dancing, etc., prohibited	324
Sunday selling prohibited	325
physician's prescriptions in blank prohibited	326

Intoxicating liquors—continued.	Sec.
interior of saloons open on Sunday	327
revocation of license	328-329
number of licenses limited	330
sale of liquor on election day prohibited	332
Irrigation	
watermaster. Appointment	335
compensation	336
oath and bond	337
period of irrigation	338
apportionment of water	339
location of ditches	340
headgates and branch ditches	341
damages	342
right of way along ditches	343
surplus water	344
wrongful diversion of water prohibited	345
appeal from apportionment	346
quarterly report of watermaster	347
public water ditches defined	348
crossing public ditches	349
bridges and flumes	350
Jailer	
of city jail. Duties	543-544-545
Joists	
not to be cut for piping	97
Junk dealers	
defined	598
dealing with minors prohibited	599
Records	600
Killing	
registered dogs. Penalty	149-150
Labor	
hours of	451
by city prisoners	546
Land and water commissioner	
appointment	352
oath. Bond. Compensation	353
duties	354
deputies	355
duties in respect to city lands	562
duties in relation to city water	823
Laundry	
when a nuisance	479
Leaves	
and other rubbish, burning of, prohibited	215
Liability	
of employers and agents	4
Licenses	
unlawful to transact business without a license	356
licenses to be paid in advance	357

Licenses—continued.	Sec.
applications	358
contents of license	359
assignment of license	359
rebate	360
liability to pay license	361
quarterly and half yearly licenses	362
free licenses	363
auctioneers. License. Bond	364
billiard or pool-tables and ten pin alleys	365-366
boarding houses	367
circus and menagerie	368
contracting electrician	369
dog and pony shows	370
drain layers	371
fortune telling	372
fresh meat dealers	373
hotels	374
hotel runner	375
intelligence and employment offices	376
applications	377
livery stables	378
lunch wagons	379
merchants, bankers, etc	380
milk dealers	381
pawn-brokers	382-383-384
peddlers and hawkers	385-386-387
plumbers	388-389
public scales	390
restaurant keepers	391
scavengers	392
slot machines	393
stock brokers	394
Sunday concerts	395
telephones	396-397-398
theaters, concert halls, etc	399
vehicles	400-401
miscellaneous licenses	402
signed by mayor	407
for bicycles	726
and permits to sell combustibles and explosives	196, 216
Liquor license	
required	307
bond	309
Lintels and arches	81
Livery stables	
license	378
Magazines	
for storing explosives and combustibles	193-194-195
Manufacture	
of explosive chemicals	204

Manure.	Sec.
accumulation of prohibited	279
accumulation of a nuisance	476
Maps	
and plats	154-164
Mayor	
appointive power (see appointment)	
proclamation closing saloons	332
compensation	404
oath. Bond	405
duties	406
licenses. Deeds, etc.	407
rewards offered by	408
pardoning power	409
supervisory powers	410
Meetings	
board of public works	37
city council	132
Merchants	
bankers, etc. License	380
Meters	
water	813
Milk	
unwholesome prohibited	252
inspection of	256
condemnation of	257
quality	258
manner of marking milk wagons	259
dealers. License	381
Minors	
sale of liquor to	320
misrepresenting age	322
enticing from guardians prohibited	433
on streets at unreasonable hours prohibited	434
sale of tobacco to	435
Miscellaneous	
licenses	402
Misdemeanors	
abusive language	411
cruelty to animals	412
poisoning animals	413
driving sheep through streets	414
keeping cows and swine	415
assault and battery	416
barbed wire fences	417
bathing	418
bonfires on asphalt pavements	419
coasting	420
dance house	421
concealed weapons	422
defacing or destroying property	423

Misdemeanors—continued.	Sec.
discharge of guns	424
discharge of air guns, flippers, etc	425
disorderly houses	426
disturbance of the peace	427
disturbance at election or meeting	428-429
sale of drugs on streets	430
labeling drugs	431
drunkenness	432
enticing minors	433
curfew	434
sale of tobacco to minors	435
employment agency	436
escape of prisoners	437
expectoration	438
taking weapons, etc., to prisoners	439
obtaining goods under false pretenses	440
fighting	441
trespassing fowls	442
gambling houses	443
gambling	444
witness not privileged	445
hotel registers	446
badge for hotel runners	447
interfering with an officer	448
obscene literature or conduct	449
opium dens	450
eight-hour day	451
billiard and pool tables on Sunday	452
street cars. Crossings	453
same. Obstructing sidewalk	454
personating an officer	455
petit larceny	456
posting bills	457
profanity	458
prostitutes	459
prostitution	460
public library	461
reckless riding or driving	462
speed of vehicles	463
street cars. Speed of	464
smoke from chimneys	465
riot	466
Sunday closing	467
swindling	468
trespass	469
vagrancy	470
false weights or measures prohibited	590
injuring sewer	604
obstructing sewer	605
opening man-holes	606

Misdemeanors—continued.	Sec.
connecting with sewer	607
connection with sewers without permit	608-609
discharge of surface water into sewer	612
connection with sewer without notice to superintendent	619
coal-holes, when unlawful	640
cellar doors. Unlawful construction	641
obstructing side-walks	642-643
driving or riding on side-walks	644
games on sidewalks	645
construction of carriage steps or platforms	646
weeds	647, 650
loafing on side-walk	648
snow on sidewalks	649
sweeping sidewalks	651
unlawful location of slaughter houses	653
failure to keep records of animals slaughtered	654
uncleanly slaughter houses	655
street excavations	697
failure to replace street	699
failure to guard excavations	700
occupying street with building material	701-702
mixing mortar on pavements	703
depositing refuse in streets	704
distribution of advertisements	705
obstructions	706
leaving horses unhitched	708
riding bicycles in excess of speed limit	721
obstructing bicycle path	725
riding bicycle without license	726
riding bicycle without gong	728
erecting poles in streets without permit	739
erection of poles in street intersections	743
poles in excess of size limit	744
driving unlicensed vehicle	760
soliciting passengers	761
standing licensed vehicles within 50 feet of other licensed vehicles	763
furniture vans on certain streets	764
fraud by driver of public passenger vehicles	766
drivers of public passenger vehicles entering depots	767
driving into vehicle or person	768
disorderly conduct of driver of public vehicle	769
driving public vehicles in excess of speed limit	770
failure to have lighted lamps	771
failure to post rate of fare	772
overcharging by drivers of public vehicle	774
refusal of driver of public vehicle to convey passengers	776
refusal to pay fare	778
running automobiles in excess of speed limits	779
failure to register automobiles	780

Misdemeanors—continued.	Sec.
interfering with fire hydrant	785
using water from city pipes	790
extension of water pipe without permit	793
wasting water	795
using water without payment	796
turning on water after having been turned off forbidden	797
sprinkling without nozzle	799
sprinkling out of hours	801
taking water from ditches, when prohibited	807
unlawfully constructing wells	817-818-819
befouling water	821-822
interfering with city officers	824
Mortar	
kind required	79
Municipal wards	
division and number	472
Names	
of streets	709
Nightsoil	
deposit of in garbage districts prohibited	280
Notice	
to abate nuisance	488
of poll tax	538
of intention to make sewer connection. When required	619
of intention to make local improvement	659
of intention to levy special tax	659
of sittings of board of equalization	660
of special tax for publication	670
of special tax for mailing	671
of sale for special taxes	672
of redemption from special taxes	685
Nuisances	
slaughter house, market, meat shop	473
unclean drain or garbage receptacle	474
refuse	475
manure	476
dirt, waste, rags, etc	477
bone-crushing, glue-making, etc.	478
soap, candle, oil or glue factory	479
offensive liquid or refuse	480
dead animals	482
unsound food	483
putrid fat, waste paper, old clothes	484
acts and omissions deemed a nuisance	485
health commissioner to abate nuisance	486
author of nuisance defined	487
notice to abate	488
duty and power of health commissioner	489
Numbering	
houses	710-711-712-713-714

Oaths.	Sec.
attorney	16
auditor	23
board of public works	29
inspector of buildings	48
city sexton	119
city councilmen	130
engineer	152
poundkeeper	173
chief of fire department	234
inspector of provisions	241
health commissioner	289
humane officer	305
water master	337
land and water commissioner	353
mayor	405
plumbing inspector	512
chief of police	524
recorder	567
sealer of weights and measures	580
oil inspector	580
superintendent of water works	731
supervisor of streets	734
treasurer	752
deputy treasurer	754
Obscene literature	
or conduct	449
Obstructing streets	
or side-walks by auctioneer prohibited. Penalty	19
Obstructions	
by railroads	549
of side-walks	642
on streets	706
Officers	
appointive. Term	10
police and fire department. Exception	10
appointive. Removal	11
elective and appointive to account for fees	218
interfering with	448
personating	455
Official bonds and oaths	
elective and appointive offices. Bonds.	491
sureties	491
approval	493
form	494
new bond	495
oaths	496
Officials	
power to grant permits	5
Oils	
below standard	595

Oil inspector.	Sec.
duties of	592
fees of	593
may not deal in oils	594
Opium dens	450
Ordinances	
repeal of	1
when effective	8
amendments. How made	8
Out-houses	115
Pardons	
by mayor	409
Park-keeper	
appointment. Compensation	497-498
Parks	
park-keeper. Appointment	497
oath. Bond. Compensation	498
duties	499
assistants	500
Party walls	
generally	71-72
recess, chase or flue	78
Paving districts	715
Pawn-brokers	
license	382-383-384
who are	501
must post ordinances	502
redemption of forfeited articles	503
must keep descriptive book	504
reports to chief of police	505
dealing with drunkards, thieves, etc	506
employees	507
hours for receiving goods in pawn	508
liability of pawn broker for acts of employees	509
Pay-rolls	574
Peddlers	
license	385-386-387
and hawkers must have measures and scales tested	584
Penalties	
not repeal'd	2
general	7
Permits	
by implication	5
by inspector of buildings	50
for building	58
to sell and store combustibles and explosives	196, 216
for emptying vaults, cess-pools, etc	282
for hauling garbage	283
for burial or removal of bodies	298
for plumbing	516
for sewer connections	609-610-611

Permits—continued.	Sec.
for sewer construction	616
side-walks	626
for street excavations	697-698
to occupy street with building material	701
for the erection of poles	739-740-741-742
Petit larceny	456
Petroleum	
storage, etc	200-201-202
Physicians'	
prescriptions for liquor	326
Pipes	
and ducts	93
Plans	
must be approved by building inspector	61
approval by inspector of buildings	106
for sewer connections	610
Plats	
how filed	160-161
Plumbing	
license of plumber	388-389
inspector. Appointment. Compensation	511
oath and bond	512
duties	513
powers	514
fees	515
permits	516
plumbing rules	517
drainage rules	518
exhaust from steam engine	519
final inspection and approval	520
Poles in streets	
bond required	738
permits for	739
to whom permits issued	740
applications for permits	741
when permits not granted	742
in street intersections prohibited	743
size of poles	744
finish of poles	745
injury to poles	749
Police department	
duty of officers in relation to sick or disabled animals	9
how constituted	522
chief	523
oath and bond of chief	524
subordinates	525
assignment to duty	526
transfers and promotions	527
suspension	528
rules and regulations	529

Police department—continued.	Sec.
special police	530
ranking officer	531
mounted police	532
salaries	533
saving clause	534
Poll tax	
who liable to pay	535
how expended	536
list of tax payers	537
notice to work	538
delinquent tax payable in money	539
money paid to treasurer	540
annual report to council	541
Porticos	
permanent	105
Posting bills	
without permit	457
Pound-keeper	
appointment. Compensation	172
interference with	187
Powers	
of plumbing inspector	514
of recorder.....	569
Presentation	
of claims against the city	138-139
Prisoners and city prison	
escape of prisoners prohibited	437
taking weapons, intoxicants, etc., to prisoners prohibited	439
commitment	542
rules and record	543
reduction of sentence	544
duties of jailer	545
prisoners required to labor	546
Proclamation	
of mayor closing saloons	332
Profanity	
prohibited	453
Property	
destruction of, prohibited	423
Prostitution	
prohibited	459-460
Protests	
against local improvements	660
Public	
library, unlawful to destroy property of	461
buildings, egress from	101
scales. License	390
contracts. Board of public works	34
water ditches	348-349

Quarantine.	Sec.
rules	300
Quorum	
board of public works	37
Railroads	
to repair sewers, street crossings, etc	547
arches and bridges. Tracks on grade	548
obstructions	549
crossings	550, 553
speed	551
bells	552
rights reserved to the city	554
regulating running of street cars	555
fenders on street cars	556
wilfully getting upon fenders	557
Real estate	
purchase	559
abstract of title	560
sale	561
land and water commissioner	562
city recorder	563
list	564
auditor	565
Rebate	
upon licenses	360
Recess	
chase or flue	78
Recorder	
clerk of board of public works	32
duties in respect to transfer of city lands	563
compensation	566
oath and bond	567
deputies and assistants	568
duties. Powers. Records and seal	569
to pay over moneys to treasurer	570
duties in relation to special taxes,	
notice of intention	659
protests	660
certification of ordinance levying tax to treasurer	662
assessment list and plat	665
notice of equalization	666
certification of ordinance confirming assessment	669
tax sale record	673
tax deed	686
tax deed record	687
recorder's fees	688
Records	
attorney	13
books. Board of public works	36
of fire department	223
of pawn broker	504

Records—continued.	Sec.
of recorder	560-570
of second hand and junk dealers	600
of slaughter houses	654
Redemption	
of articles forfeited in pawn	503
Refuse	
accumulation of a nuisance	475
Registration	
of impounded animals	176
of births	297
Removal	
of appointive officers	11
members of fire department	234
chief of fire department	235
chief of police	523
members of police department	525
Repairs	
of aprons	41
guttering	41
of curbing	41
of paving	41
of roofs damaged by fire	57
ordinary	59
side-walk	629-630-631-632-633-634-635-636
Repeal	
effect on accrued rights	1-2
Reports	
attorney	12-14
of water-master	347
of pawn-broker to chief of police	505
of city officers to be made to mayor annually	571
of street supervisor in relation to poll tax	541
of supervisor of streets	737
Requisitions and vouchers	
required when	572
form	573
distribution sheets. Payrolls	574
charges between departments	575
special appropriation	576
auditor	577
Restaurant	
sale of liquors by	313
license	391
Retaining walls	
dimensions	69
Revocation	
of liquor license	328-329
Rewards	
offered by mayor	408

Riding or driving.	Sec.
recklessly prohibited	462
Right of way	
in case of fire	229
along water ditches	343
Riot	
prohibited	466
Roadways	
width of	716-717-718
Roofs	
damaged by fire. Repairs	57
Salaries (see compensation)	
fire department	238
police department	533
Sale	
of unclaimed animals in the city pound	179
of lands by Salt Lake City	561
Saloons	
open to inspection on Sunday	327
Scavengers	
wagons. How marked	284
license	392
School books	
disinfection, etc	299
Scrip. Water	
issuance	825
form 20 per cent	826
same 80 per cent	827
received for water rates	828
issued since April 24th, 1902	829
Sealer of weights and measures and oil inspector	
appointment. Compensation	579
oath and bond	580
duties	581-582
weighing and measuring standards to be reported	583
peddlers and hawkers	584
standard of weights and measures	585-586
second-hand dealers	587
fees	588
refusal to pay fee	589
false instruments prohibited	590
dealers in oils	591
duties as inspector of oils	592
fees as inspector of oils	593
Sea!	
description of	578
Second-hand dealers	
sale of scales or measures by	587
defined	597
dealing with minors prohibited	599

Second hand dealer—continued.	Sec.
records	600
Sentences	
to city jail. Reduction of	544
Sewers	
property owners must connect with	293
repairs of by railroads	547
districts, boundaries of	602
superintendent	603
injuries prohibited	604
obstructions prohibited	605
man-hole covers	606
vaults and cess-pools to be filled	607
connection with sewers in sewer districts required	607-608
permit for sewer connection	609
application for permit. Plans and fees	610
revocation of permit	611
discharge of surface water into sewers prohibited	612
proximity of other pipes	613
drain pipes. Description	614
pipes. How covered	615
assessments	616
connections before completion of sewer	617
1000 foot drains	618
notice	619
junction pipes	620
inside of drain	621
when permits not issued	622
Sexton	
appointment. Compensation	118
sale of cemetery lots	122
fees	125
Sick or disabled animals	9
Side-walks	
duties of board of public works	42
districts	624
constructed by individuals	625
specifications. Permit	626
supervision	627
inspection and cost	628
repairs. Unit of measurement	629
ordinary repairs	630
extraordinary repairs	631
new work	632
engineer's report	633
annual contract	634
ordinary repairs, by whom made	635
Side-walks	
extraordinary repairs. Notice. Expense. Levy	636-637-638
new work. Levy	639
coal holes or other openings	640

Sidewalks—continued.	Sec.
cellar doors	641
obstruction of side-walks	642
receiving goods on side-walks	643
driving or riding on side-walks	644
games on side-walks	645
carriage steps or platforms	646
weeds	647, 650
loafing	648
snow, to be removed from	649
to be swept, when	651
Signs	
over streets or side-walks forbidden	103
Slaughter houses	
a nuisance when	473
location	653
records	654
to be kept clean	655
duty of health commissioner in relation to	656
Slot machines	
license	393
Smoke	
when prohibited	465
spark arrester	84
Special taxes	
council. Action of	658
notice of intention	659
protests. Hearing	660
ordinance levying tax	661
certification of ordinance to treasurer	662
board of equalization	663
assessment list and plat	664
return to recorder	665
notice of equalization	666
report of board	667
ordinance confirming	668
certification of ordinance confirming to treasurer	669
notice of special tax for publication	670
notice of special tax for mailing	671
delinquent list and notice of sale	672
costs	673
expense of sale	674
minimum sale price	675
sale	676
sale to city	677
tax sale. Records	678
certificate of sale	679
fees	680
certificate of sale to city	681
general taxes on delinquent property	682
redemption	683

Special taxes—continued.	Sec.
certificate of redemption	684
notice of redemption	685
tax deed	686
tax deed record	687
recorder's fees	688
redemption after deed	689
refunding excess special taxes	690-691-692-693
Special meetings	
city council	133
Special levies	
franchises, grants and dedications not repealed	1
Specifications	
side-walks	626
Speed	
of railway trains in city limits	551
Sprinkling	799-800-801-802
Stalls and markets	250
Standard	
of measure	165
of weights and measures	585-586
Stock brokers	
license	394
Storage	
of petroleum	200
Store fronts	102
Stories	
height of	76
Stoves	
manner of setting	86
pipes through roof forbidden	87
Stray pound	
poundkeeper. Appointment. Compensation	172
oath and bond of poundkeeper	173
city pound	174
books and registration	175-176
bills of damage	177
advertisement	178
sale	179
proceeds of sale	180
advertising bills	181
forage	182
animals at large	183
damages and appraisement	184
rights of private persons	185
detention of animals	186
interference with poundkeeper	187
malicious impounding	188
fees	189
monthly statement	190

Stray pound—continued.	Sec.
money paid to treasurer	191
Streets	
meaning of word "street"	6
how named	162
defects to be repaired	694
restoration after excavation	695
notice of excavation to street supervisor	696
excavation	697
permits. Applications. Bond	698
failure to replace street	699
guarding excavations	700
permit to occupy street with building material	701
fence and walk around portion of street used for building material.....	702
piling or mixing mortar on pavements	703
depositing rubbish in streets prohibited	704
distribution of advertisements on streets prohibited	705
obstructions	706
hitching posts	707
teams and horses to be hitched	708
name of streets	709
system of street numbering. Initial point	710
numbering in plats "D," "G," and "I."	711
commercial and other streets	712
other streets	713
system of numbering to be followed	714
paving districts	715
width of roadways and side-walks	716
same. Exception	717
same. Part of East Temple street	718
freight wagons, bicycle, etc., on East Temple street	719
riding bicycles on side-walks prohibited	720
speed of bicycles	721
bicycle paths	722
same. Construction	723
same. Repairs	724
same. Obstructions	725
license for bicycles	726
bicycle path fund	727
bicycle to be provided with gong	728
Street cars	
crossings	453
speed of	464
obstructing side-walks	454
regulations of	555
fenders	556
Street lines	
and grades	155-156
Street supervisor	
duties in relation to poll tax	536-537-538-539-540-541

Sunday.	Sec.
closing	467
liquor selling	325
concerts. License	395
Superintendent of water works	
appointment. Compensation	730
oath. Bond	731
employees. Appointment. Compensation	732
duties of	784
Superintendent	
of sewers	603
Supervisor of streets	
appointment. Compensation	733
oath. Bond	734
consolidation with other office	735
assistants. Appointment. Compensation	736
Supervision	
of departments by mayor	410
Sureties	
on contractors' bonds. Who not accepted	45
Surplus water	344
Swindling	
prohibited	468
Tannery	
when a nuisance	480-481
Tax	
on dogs	140
Telephones	
license	396-397-398
Telegraph, telephone and electric wires and poles	
bond to the city	738
permits	739
to whom permits issued	740
applications for permits	741
when permits not granted	742
poles in street intersections prohibited	743
size of poles. Manner of erection	744
finish of poles	745
height of wires	746
number of wires	747
fire alarm or police telegraph	748
poles not to be removed or injured	749
Temporary chairman	
board of public works	38
Ten pin alleys	
license	365
Tenure	
of office not changed by revision	2
Term	
appointive officers	10

Term—continued.	Sec.
of board of public works	27
Theatres	
and other places of amusement, firemen detailed at	231
license	399
Tracks	
of railroad companies required to be on grade	543
Treasurer	
compensation	751
oath. Bond	752
assistants. Appointment. Compensation	753
deputy. Oath. Bond	754
custodian of city funds	755
delivery of property to successor	756
collector of special taxes	757
duties in relation to special taxes	
assessment list and plat	664
return to recorder	665
notice of special tax for publication	670
notice of special tax for mailing	671
delinquent list and notice of sale	672
costs	673
expense of sale	674
sale	676
sale to city	677
tax sale record	678
certificate of sale	679
fees	680
certificate of sale to city	681
redemption	683
certificate of redemption	684
notice of redemption	685
tax deed	686
excess special taxes	691
Trees	
destruction of in City Creek canyon	135
Trespass	
prohibited	469
Timbers	
for roof and floor	95
Tobacco	
sale of to minors prohibited	435
Trussed roofs	
walls for	74
Unsound food	
when a nuisance	483
Unwholesome food	
sale of	244-245-246-247-248-249
Vacancies	
how filled	753

Vagrancy.	Sec.
prohibited	470
Vaults	
cess-pools, etc., permits for emptying	282
in sewer districts	507
Vehicles	
license	400-401
speed of	463
numbers	759
hack driving without license prohibited	760
soliciting for passengers prohibited	761
record of licenses	762
stand of public vehicles	763
furniture vans excluded from certain streets	764
driver must remain within six feet of vehicle	765
fraud prohibited	766
driver shall not enter depots	767
driving into vehicle or person prohibited	768
disorderly conduct prohibited	769
speed regulated	770
lighted lamps at night. Door handle ..	771
rates of fare	772
posting rates of fare	773
overcharging prohibited	774
may demand fare in advance, when	775
refusing to take passengers prohibited	776
required to give number and name	777
refusing to pay fare	778
automobiles. Speed	779
same. Number. Registration	780
same. Running idle	781
same. Exception	782
Verification	
of claims against the city	138-139
Vouchers	574
Walls	
of buildings. Tables for	73
for trussed walls	74
when increased in size	75
Wards	
municipal	472
Waste	169
Water	
for drinking purposes	260
ditches	340
wrongful diversion of	345
assessments	808-809-810-811
rates	812
meter	813

Watermaster	Sec.
appointment. Compensation	335-336
Water-works	
duty of superintendent	784
fire hydrants	785
wrenches	786
application for use	787
stop-cock and key box	788
quality of service pipe. Permit and fee	789
water-taker only to use water	790
two users on same pipe	791
pipes to be kept in repair	792
plumbing permit	793
fixtures for water connections	794
waste prohibited	795
use of water without permit	796
turning on water after being turned off for non-payment pro- hibited	797
fountains	798
sprinklers for lawns	799
sprinkling districts	800
time for sprinkling	801
mayor's proclamation	802
sprinkling wagons	803
steam boilers	804
superintendent to have free access	805
city not liable for damages, when	806
taking water from ditch forbidden	807
annual assessments	808
assessment rolls	809
notice to water takers. Delinquency	810
board of equalization	811
water rates paid in advance	812
water meters in certain establishments	813
water not supplied to motors	814
sworn statement	815
no alteration in rates	816
construction of wells	817
well within twenty feet of cess-pool prohibited	818
use of water for drinking, from wells. Regulation of	819
analysis of city water	820
befouling water	821-822-823
unlawful interference with city officers	824
water scrip	825
same. Form of	826
same	827
scrip received for water rates	828
scrip since April 24th, 1902	829
Water scrip	
issuance	825

Water scrip—continued.	Sec.
form 20 per cent	826
same 80 per cent	827
received for water rates	828
issued since April 24th, 1902.	829
Weights and measures	
standard	585
Wells	
construction and use of	817-818-819
Wires	
height of wires in streets.....	746
number of wires limited	747
fire alarm or police telegraph	748
injury to	749
Witnesses	
not privileged when	445
Words	
meaning of	3

INDEX TO PART II.—APPENDIX.

	Page.
American Natural Gas Company	
grant of January 12th, 1892	352
Bacon, H. M.	
Grant to, for water pipes	565
Bancroft, W. H., et al.	
(see Union Depot.)	
Big Cottonwood Power Company	
grant to Robert M. Jones, dated July 30th, 1893	364
same, extension dated Sept. 29th, 1894	367
consolidation and extension to Utah Light & Power Co.....	382
Bonds for corporate purposes	
issue of \$500,000 July 10th, 1888	291
refunding, issue of July 10th, 1888	294
issue of \$500,000 Oct. 7th, 1890	296
refunding, issue of Oct. 7th, 1890	299
form of refunding bond	300
issue of \$200,000, June 9th, 1891	302
refunding, issue of June 9, 1891	305
form of refunding bond	306
issue of \$600,000 May 13th, 1892	308
ordinance confirming sale of a portion of the issue of July 1st, 1892	313
issue of \$800,000, March 31, 1894	314
ordinance amending ordinance of March 31st, 1894	317
notice of sale of refunding bonds	317
resolution providing for refunding issue of Oct. 7th, 1890	318
issue of \$250,000 in water bonds	320
ordinance providing for issue of water bonds	321
same	323
same, amendment	326
refunding issue of Oct. 7th, 1890	327
form of bond	328
refunding issue of June 9th, 1891	330
form of bond	331
Brigham Young Monument	
grant of site for	395
Canals	
resolution providing for the construction of the Jordan & Salt Lake City canal	334
resolution authorizing Parley's canyon contract	336
Capitol building	
grant of site for	390
Consolidated Railway & Power Company	
(see street railways)	

	Page.
Dedication	
of lands to public use for parks, etc	393
Deseret University	
grant to	389
Dodge, D. C., et al.	
grant to, (see Union Depot)	
Fair buildings	
grant of site for	392
Gas and electric light franchises	
to Salt Lake City Gas Co., ordinance of March 8th, 1872.....	342
same, amendment	344
resolution approving location of gas works	345
grant to Salt Lake City Gas Co. of August 30th, 1889	345
grant to Salt Lake Power Light & Heating Co. of Jan. 11, 1881..	347
resolution authorizing contract with Salt Lake City Gas Com- pany and Salt Lake City Power, Light & Heating Company, dated January 21st, 1890	349
grant to American Natural Gas Co., Jan. 12th, 1893	352
grant to New American Gas & Fuel Co., dated July 12th, 1892..	354
grant to Salt Lake & Ogden Gas & Electric Light Co., dated May 20th, 1893	357
same, amendment	361
same amendment	362
grant to Robert M. Jones, dated July 30th, 1893	364
same, extension of time, dated Sept. 29th, 1894	367
grant to S. F. Walker, dated Dec. 22nd, 1893	368
grant to New American Gas & Fuel Co., dated Nov. 22nd, 1894..	371
grant to Utah Power Company, dated Dec. 26th, 1896.....	374
grant to Pioneer Electric Power Company, dated May 27th, 1897.	378
grant to Utah Light & Power Company, dated Dec. 31st, 1903 ...	382
Great Salt Lake & Hot Springs Railway Company	
grant to	396
Hamilton, L. C.	
grant to, (see street railways)	
Holmes, G. S.	
grant for messenger service	386
Jones, Robert M.	
grant to, dated July 30th, 1893	364
same, extension dated Sept. 29th, 1894	367
same, consolidation and extension to Utah Light & Power Co....	382
McCartney, H. M.	
grant to, (see street railways)	
Messenger service	
grant to G. S. Holmes	386
Murray, J. P.	
grant to	412
New American Gas & Fuel Company	
grant of July 12th, 1892	354
grant of Nov. 22nd, 1894	371
Oregon Short Line Railroad Company	
grant of March 10th, 1900	400

Oregon Short Line Railroad Company	Page.
grant of May 20th, 1902	402
grant of depot franchise Oct. 2nd, 1903	404
Pioneer Electric Power Company	
grant, dated May 27th, 1897	378
consolidation and extension to Utah Light & Power Co.....	382
Pioneer monument	
grant of site for	395
Popperton Place & Fort Douglas Rapid Transit Co.	
grant to, (see street railways)	
Public lands	
University of Deseret	389
capitol building site	390
territorial fair buildings	392
dedication of certain lands to public use	393
pioneer monument site	395
Railroads	
grant to Great Salt Lake & Hot Springs Railway Co., dated Oct, 18th, 1892	396
Oregon Short Line R. R. Co., grant of March 10, 1900	400
same, dated May 20th, 1902	402
same, depot franchise, dated Oct. 2, 1903	404
grant to T. P. Murray	412
grant to Rio Grande Western Ry. Co., dated July 28, 1891	415
same, trackage on Fourth West street, dated March 10th, 1900 ..	417
same, vacation of certain streets, dated Jan. 25, 1901	420
same, depot franchise, dated Oct. 9, 1903	421
same, amendment	426
same, grant on Fourth West street between Fifth and Sixth South streets, dated Oct. 9, 1903	427
grant to Saltair Ry. Co., dated April 22, 1890	428
same, amendment	431
same, dated Jan. 19, 1892	431
same, dated May 3rd, 1894	434
grant to Salt Lake & Fort Douglas Ry. Co., dated Sept. 23rd, 1884	436
resolution authorizing contract with Salt Lake & Fort Douglas Ry. Co., dated Nov. 8, 1887	442
same, dated Nov. 13, 1888	446
grant to Utah Western Ry. Co., dated Oct. 29, 1889	451
Rio Grande Western Railway Company	
grant of July 28, 1891	415
grant in Fourth West street, dated March 10, 1900	417
grant on West Third South, etc., dated Jan. 25, 1901	420
depot franchise, dated Oct. 9th, 1903	421
same, amendment	426
grant for spur track on Fourth West, dated Oct. 9, 1903.....	427
grant to Salt Lake & Fort Douglas Railway Co., dated Sept. 23rd, 1884	436
same, dated Nov. 8, 1887	442
same, dated Nov. 13th, 1888	446

	Page.
Rowe, W. H.	
grant to, (see street railways.)	
Salt Lake City Gas Company	
grant of March 8, 1872	342
same, amendment	344
resolution approving location of gas works	345
grant of August 30, 1889	345
Salt Lake Power, Light & Heating Company	
grant of Jan. 11, 1881	347
resolution authorizing contract	349
Salt Lake & Ogden Gas & Electric Light Company	
grant of May 20th, 1893	357
same, amendment of Dec. 29, 1897	361
same, amendment of March 10, 1898	362
same, consolidation and extension to Utah Light & Power Com- pany	382
Salt Lake & Ogden Railway Company	
see Great Salt Lake & Hot Springs Railway Company	396
Salt Lake & Los Angeles Railway Company	
see Saltair Railway Company.	
Salt Lake & Fort Douglas Railway Company	
grant of Sept. 23, 1884	436
grant of Nov. 8th, 1887	442
grant of Nov. 13th, 1888	446
Salt Lake City Railroad Company	
(see street railways)	
Salt Lake Rapid Transit Company	
(see street railways)	
Salt Lake & Suburban Railway Company	
grant to	528
same, amendment	531
Salt Lake Valley Railway Company	
grant to	532
Saltair Railway Company	
grant dated April 22, 1890	428
same, amendment	431
grant dated Jan. 19, 1892	432
grant of May 3rd, 1894	434
Stallman, Otto, et al.	
grant to	537
same, amendment	542
Street railways	
grant to Salt Lake City Railroad Company, dated Jan. 26, 1889..	457
same, grant of Feb. 11th, 1890	461
same, grant of May 20th, 1890	463
same, grant of Sept. 23rd, 1890	466
same, confirming grants dated Feb. 11, 1890, and May 20, 1890..	468
same, grant of May 5th, 1891	469
same, grant of Sept. 8, 1891	470
same, grant of Nov. 24, 1891	473
same, grant to L. C. Hamilton, dated Jan. 20, 1891	475

Street Railways	Page.
same, extending time of various grants, dated May 5, 1893	480
same, dated April 18th, 1894	483
same, grant dated May 26, 1899	486
same, grant dated Oct. 8th, 1900	490
same, grant dated March 21, 1901	494
Salt Lake Rapid Transit Company grant dated Feb. 11, 1890 ...	499
same, grant dated April 22, 1890	502
same, grant dated May 6th, 1890	505
Popperton Place & Fort Douglas Rapid Transit Co. grant dated Sept. 8, 1891	508
Wantland, C. E., et al., grant dated June 24, 1890	511
ordinance extending and confirming various grants held by Salt Lake Rapid Transit Co.	513
Consolidated Railway & Power Company grant, dated Nov. 27, 1903	516
McCartney, H. M., et al., grant dated Dec. 30, 1893	519
Rowe, W. H., et al., grant dated Dec. 2, 1893	523
Salt Lake & Suburban Railway Company, grant dated Aug. 14, 1902	528
same, amendment of Aug. 18, 1903	531
Salt Lake Valley Railway Company, grant to, dated May 16, 1900	532
Stallman, Otto, et al., grant dated Aug. 10, 1893	537
same, extension of time	542
Utah & Pacific Improvement Company, grant to, dated April 2nd, 1896	542
West Side Rapid Transit Company, grant dated July 1st, 1890 ..	546
Telephone and telegraph companies	
Rocky Mountain Bell Telephone Company, grant to	551
same, underground conduits	553
Utah Home Telephone Company, grant to	556
Utah Independent Telephone Company, grant to	556
Union Depot	
grant to William H. Bancroft and David C. Dodge, dated March 10th, 1900	562
University of Deseret	
grant to	389
Utah Power Company	
grant dated Dec. 26, 1896	374
consolidation and extension to Utah Light & Power Co	382
Utah Light & Power Company	
grant of Dec. 31, 1903, consolidating and extending grants to predecessors	382
Utah Western Railway Company	
grant of Oct. 29, 1899	451
Utah & Pacific Improvement Company	
grant to	542
Walker, S. F.	
grant to, dated Dec. 22, 1893	368
consolidation and extension to Utah Light & Power Co.	382

	Page.
Wantland, C. E.	
grant to, (see street railways)	
Water pipes	
grant to H. M. Bacon, dated March 2, 1893	565
West Side Rapid Transit Company	
grant to	546

